

**EQC**

*Water  
Pollution  
Control*



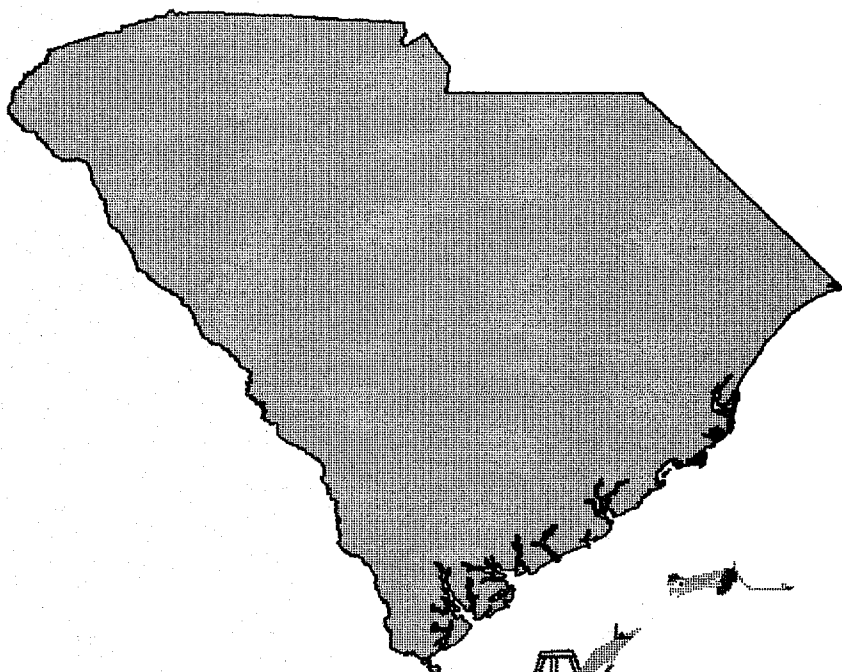
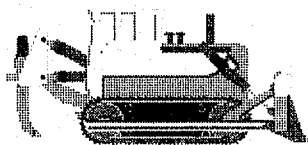
**EC**

# **SOUTH CAROLINA STORMWATER MANAGEMENT AND SEDIMENT CONTROL HANDBOOK FOR LAND DISTURBANCE ACTIVITIES**

---

---

**JANUARY 1995**



KFS2251  
.S68  
1995

# TABLE OF CONTENTS

	Page
I. Synopsis.....	1
II. Scope.....	1
III. Activities Requiring Permits.....	1
IV. Permit Applicability.....	1
V. Application Forms and Checklists.....	3
VI. Plan Submittal.....	3
VII. NPDES General Permit Coverage.....	3
VIII. Construction Placard.....	3
IX. Notification of Initiation of Land Disturbance Activity.....	3
X. Request for Final Site Inspection.....	3
XI. Design Guidelines for Sediment Control.....	3
XII. Fees.....	4
XIII. Inspections.....	5
XIV. Violations and Enforcement.....	5
XV. Sample Best Management Practices (BMPs).....	5
Appendix A. South Carolina Stormwater Management and Sediment Reduction Regulations	
Appendix B Coastal Zone Management Program Refinements for Stormwater Management	
Appendix C. NPDES General Permit for Stormwater Discharges from Construction Activities	
Appendix D. Application Forms with Instructions and Submittal Check Lists	
Appendix E. Sample Construction Placard	
Appendix F. Notification of Initiation of Land Disturbance Activity and Request for Final Inspection	
Appendix G. Design Guidelines for Sediment Control	

US Department of Commerce  
 NOAA Fisheries Center Library  
 22  
 Venue  
 C 405-2413  
 Property of CSC Library

KTs 2251.568 1995

APR 14 1997

**Appendix H. Rainfall Data for South Carolina**

**Appendix I. Sample Stormwater Management and Sediment Reduction Best Management Practices**

# **S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL STORMWATER MANAGEMENT AND SEDIMENT REDUCTION HANDBOOK**

## **I. Synopsis:**

This handbook is a compilation of existing South Carolina stormwater management regulations and supporting information that applicants will need to proceed through the land disturbance permitting process. The objective of this document is to create a comprehensive reference for individuals who will be submitting a stormwater management and sediment reduction permit application for approval to the Department of Health and Environmental Control (DHEC). This handbook summarizes the application process and sets forth the minimum standards and design specifications for land disturbing activities that require stormwater permits. The supporting information includes application forms, checklists, sediment control design aids and other useful information. This document references pertinent sections from the S. C. Stormwater Management and Sediment Reduction regulations, the NPDES Permits for Stormwater Discharges from Construction Activities (General and Individual permits) and the Coastal Zone Management Program Refinements which are included as appendices.

## **II. Scope:**

A stormwater management plan in compliance with the requirements of existing regulations must be submitted for most land disturbing activities in South Carolina. Appendix A contains a copy of the S. C. Stormwater Management and Sediment Reduction regulations. The DHEC Office of Ocean and Coastal Resource Management (OCRM), formerly the S. C. Coastal Council, administers the stormwater management program in the following eight coastal counties: Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry, and Jasper. The stormwater permitting program for the rest of the state is implemented by DHEC's Bureau of Water Pollution Control, which now includes parts of the former Land Resources Conservation Commission.

## **III. Activities Requiring Permits:**

Currently all land disturbing activities of two (2) acres or greater in the thirty-one (31) most populace counties in the state require a stormwater management permit prior to construction (see Section 72-303 of Appendix A). Land disturbing activities in the other fifteen counties presently require permitting for five (5) acres or greater of disturbance which will drop to two (2) acres on July 1, 1995. In the Coastal counties, if the activity is within one-half (1/2) mile of a receiving waterbody, projects disturbing less than two (2) acres may require a permit depending on the type of project (see next section). Land disturbances of five (5) acres or greater require NPDES construction permits regardless of the location of the activity.

## **IV. Permit Applicability:**

Specific requirements of the permit application and approval process are based on the amount of actual land disturbance and, if the activity is in the Coastal Zone, the project's proximity to a receiving waterbody. The permit application procedure is as follows:



- (1) **For activities involving two (2) acres or less of actual land disturbance** and which are not part of a larger common plan of development or sale, the person responsible for the activity shall submit a simplified stormwater management and sediment control plan meeting the requirements of R.72-307H in Appendix A and the reporting form found in Appendix D. This plan does **not** require approval by the Department of Health and Environmental Control and does **not** require preparation or certification by a registered engineer, landscape architect, or Tier B land surveyor. The DHEC staff does have the authority to conduct site inspections on these projects to insure compliance with the submitted plans.
- (2) **For activities involving two (2) acres or less of actual land disturbance which are within one-half (1/2) mile of a receiving waterbody in the Coastal Zone.** The Coastal Zone Management Program Refinements (Appendix B) state that "stormwater management and sediment reduction plan submittal and regulatory approval shall be required for those smaller projects located within 1/2 mile of a receiving waterbody." Particular emphasis shall be placed on the following projects in this category:
  - (a) All commercial buildings which will handle hazardous chemicals (including gasoline, kerosene, diesel fuel, nutrients, etc.).
  - (b) All commercial buildings and parking/runway areas with greater than one (1) acre of impervious surface (building and parking).
  - (c) All commercial buildings and parking/runway areas with greater than one-half (1/2) acre of impervious surface located directly adjacent to a saltwater (critical) area.
  - (d) All residential subdivision developments located directly adjacent to a saltwater (critical) area.
  - (e) All projects impacting Geographical Areas Of Particular Concern (GAPC's).

These activities (a-e) must meet the requirements of R.72-307I in Appendix A and must have the plans and specifications prepared by a registered engineer, landscape architect or Tier B land surveyor. Other activities in this category require a permit but must only meet the submittal requirements of R.72-307H which do not require preparation by a licensed professional.

- (3) **For activities involving more than two (2) acres and less than five (5) acres of actual land disturbance** which are not part of a larger common plan of development or sale, a simplified permitting approval process will be used meeting the requirements of R.72-307I in Appendix A. Plans and specifications for these activities will be prepared by professional engineers, landscape architects or tier B land surveyors.
- (4) **For activities involving more than five (5) acres of actual land disturbance,** the requirements of R.72-305 and R.72-307 from Appendix A and requirements of General Permit SCR100,000 in Appendix C apply. Plans and specifications for these activities will be prepared by professional engineers, landscape architects or Tier B land surveyors.

Additional design requirements for certain projects in the Coastal Zone as adopted in the Coastal Zone Management Program Refinements are contained in Appendix B. These requirements address design needs for activities located in close proximity to receiving waterbodies, bridge projects, golf courses, mines and landfills.

#### V. Application Forms and Checklists:

Appendix D contains all the necessary application forms and checklists to use in a stormwater management and sediment reduction permit submittal package.

#### VI. Plan Submittal:

The responsible agent should do a preliminary analysis to determine which of the different categories a project would fall under and then submit the appropriate application form and information required on the checklist. The initial submittal package should include only one (1) paper copy of the stormwater management and sediment reduction plans and corresponding calculations. After the plans have been reviewed to determine compliance with the regulations, the DHEC plan reviewer will contact the applicant/engineer and request necessary changes or notify the individual that the plans are in compliance. When the plans have been determined to be in compliance then the applicant/engineer shall send either four (4) additional paper copies or one (1) mylar copy for stamp approval. One copy of the plans is for the engineer/agent, one is for the owner, one is for the contractor and must be available onsite at all times and one copy is for the DHEC inspector.

#### VII. NPDES General Permit Coverage:

Any construction project disturbing five (5) acres or greater must obtain either NPDES general permit coverage or an individual NPDES permit. NPDES General Permit coverage under SCR100,000 can be obtained by the above referenced submittal information including application form # 3306 (9/94), plans and specifications. Therefore, application form # 3306 (9/94) shall serve as the Notice Of Intent (NOI) for NPDES general permit coverage for most land disturbance activities.

If a project has a disturbed acreage of five (5) acres or more and is exempt from the requirements of Title 48 Chapter 14 by Section 40 and by R.72-302 but not exempt from the requirements of SCR100,000 pursuant to Regulation 61-9, then the EPA Notice of Intent (NOI) found in Appendix D must be submitted. Filing this form guarantees that a Pollution Prevention Plan (PPP) has been developed and will be maintained on site.

The S. C. Department of Transportation (SCDOT) must comply with SCR100,000 pursuant to Regulation 61-9 and Regulation 72-400. All Department of Transportation projects are required to file the EPA Notice of Intent (NOI) form at least 48 hours prior to start of construction. A copy of the plans developed in compliance with R.72-400 must be submitted at the time the contract is awarded.

#### VIII. Construction Placard:

A land disturbance permit construction placard will be sent out with the permit letter. This placard should be posted at the site at the beginning of a land disturbance activity. A sample placard is in Appendix E.

## **IX. Notification of Initiation of Land Disturbance Activity**

Appendix F contains a sample letter which should be sent to the appropriate DHEC plan reviewer with a carbon copy to the local DHEC District office prior to initiation of the land disturbance activity. A list of the DHEC District offices and their addresses is included in Appendix F.

## **X. Request for Final Site Inspection**

Appendix F also has a sample letter which can be sent to the appropriate DHEC contact requesting a final site inspection.

## **XI. Design Guidelines For Sediment/Erosion Control**

The stormwater management regulations require that when stormwater runoff drains to a single outlet from land disturbing activities which disturb ten (10) acres or more then a sediment basin must be designed to meet a removal efficiency of 80 percent for suspended solids or 0.5 ML/L peak settleable concentration, whichever is less. The efficiency shall be calculated for disturbed conditions for the 10-year 24-hour design event. There are computer software packages available that can be used to calculate the removal efficiencies of certain sediment control practices. In addition, Appendix G contains a report titled "Engineering Aids and Design Guidelines for Control of Sediment in South Carolina" which can be referenced when calculating sediment removal efficiencies.

Activities that have between five (5) and ten (10) acres of land disturbance area draining to a single outlet may incorporate other practices besides a sediment basin to achieve the equivalent removal efficiency of 80 percent for suspended solids or 0.5 ML/L peak settleable solids concentration. Specific site conditions and/or topography may eliminate the need for removal efficiency calculations. Construction activities that disturb less than five (5) acres do not require sediment calculations but the design of these projects must include sediment control best management practices during construction.

## **XII. Rainfall Data for South Carolina**

Appendix H contains rainfall data and rainfall-erosivity factors (R factors) for all South Carolina counties to be used in hydrology and sedimentology calculations. Additional information such as the eroded particle size distributions for all South Carolina soils can be obtained from DHEC upon request.

## **XIII. Fees:**

A fee of fifty (50) dollars per disturbed acre up to a maximum of \$1000 is required for all land disturbance activities of two (2) or more acres. There is no fee charged for government activities (local, state, and federal) or for projects that disturb less than two (2) acres. An application for a waiver or a variance must include a \$100 fee. In order to estimate the area of land disturbance for subdivisions without exact build out plans, use the following formula:

$$\text{Amount of Disturbance} = 2[\text{Max Restricted Building Size}][\text{Number of Lots}] + \text{ROW areas}$$

Right of Way (ROW) areas include clearing for roads, utilities, easements etc.

#### **XIV. Inspections:**

The DHEC staff will conduct periodic site inspections on all land disturbing activities. The person responsible for the land disturbing activity shall notify the appropriate inspection agency before initiation of construction and upon project completion when a final inspection will be conducted to ensure compliance with the approved stormwater management and sediment control plan. DHEC or any other responsible inspection agency shall, for inspection purposes, do all of the following items:

- (1) Ensure that the approved stormwater management and sediment control plans are on the project site and are complied with;
- (2) Ensure that every active site is inspected for compliance with the approved plan on a regular basis;
- (3) Provide the person responsible for the land disturbing activity a written report after every inspection.
- (4) Notify the person responsible for the land disturbing activity in writing when violations are observed, describing the:
  - (a) Nature of the violation;
  - (b) Required corrective action; and
  - (c) Time period for violation correction.

#### **XV. Violations and Enforcement:**

Violations of the stormwater regulations will occur when (a) a site with an approved stormwater permit is not in compliance with the issued permit or (b) a land disturbing activity is underway and the agent has not acquired the necessary permit. Enforcement procedures will vary according to the severity of the violation but might include imposing fines or issuing cease and desist orders. Violations of the S. C. Pollution Control Act as prescribed by SCR100,000 pursuant to Regulation 61-9 may subject the applicant to a civil penalty of up to \$10,000 per violation per day. Additional information on enforcement procedures is contained in Section 72-312 of Appendix A.

#### **XVI. Best Management Practices (BMPs):**

Appendix I contains a table and illustrations of some of the stormwater management and sediment reduction best management practices (BMPs) used in South Carolina. The existing conditions determined from site surveys will aid in selecting the most effective BMPs to use when designing a plan for permit submittal. Included in the BMP section is a sample subdivision lot detail (Figure 11) that can be used to illustrate the necessary sediment control practices that a contractor for an individual home site in a subdivision may have to incorporate. Additional methods of stormwater management and sediment control can be found in "A Guide to Site Development and Best Management Practices for Stormwater Management and Sediment Control" distributed by DHEC.

**APPENDIX A**

**S. C. STORMWATER MANAGEMENT AND  
SEDIMENT REDUCTION REGULATIONS**

## **FINAL REGULATIONS**

### **LAND RESOURCES CONSERVATION COMMISSION**

#### **CHAPTER 72**

Statutory Authority: 1976 Code, Title 48, Chapter 14

#### **72-300 Standards for Stormwater Management and Sediment Reduction**

##### **Synopsis:**

These proposed regulations pursuant to the Stormwater Management and Sediment Reduction Act of 1991 establish the procedure and minimum standards for a statewide uniform program for stormwater management and sediment reduction with the option of being operated locally. The regulations establish the procedure for local governments or conservation districts to apply for program component delegation. They also establish the criteria to be met for delegation. Minimum standards and specifications are established for land disturbing activities that require a permit.

The proposed regulations encourage management of stormwater and sediment on a watershed basis. Criteria and procedures are established for designating watersheds and creating stormwater utilities.

When the law becomes effective, it will be implemented in a phased approach as listed in the regulations.

##### **Instructions:**

New regulations added.

##### **Text:**

- 72-300. Scope.
- 72-301. Definitions.
- 72-302. Exemptions, Waivers and Variances from Law.
- 72-303. Commission Responsibilities.
- 72-304. Criteria for Delegation/Revocation of Programs.
- 72-305. Permit Application and Approval Process.
- 72-306. Fees.
- 72-307. Specific Design Criteria, Minimum Standards and Specifications.
- 72-308. Maintenance Requirements and Off-Site Damage Correction.
- 72-309. Criteria for Designated Watersheds.
- 72-310. Criteria for Implementation of a Stormwater Utility.
- 72-311. Plan Review and Inspector Certification Program.
- 72-312. Review and Enforcement Requirements.
- 72-313. Hearings and Hearings Procedures.
- 72-314. Citizen Complaint Procedure on Delegated Program Components and Individual Sites.
- 72-315. Penalties.
- 72-316. Severability.

#### **72-300. Scope.**

- A. Stormwater runoff is a source of pollution of waters of the State, and may add to existing flooding problems. The implementation of a statewide stormwater management and sediment control program will help prevent additional water quantity and quality problems and may reduce existing problems.
- B. Stormwater management and sediment control plan approvals are necessary prior to engaging in any land disturbing activity related to residential, commercial, industrial or institutional land use which are not specifically exempted or waived by these regulations.
- C. To the extent possible, the Commission intends to delegate the provisions of these regulations to local governments. Those program provisions which are subject to delegation include stormwater management and sediment control plan approval, construction and maintenance inspections, enforcement, and education and training.
- D. The Commission encourages the implementation of the Stormwater Management and Sediment Reduction Act on a watershed basis by local governments. The Commission recognizes that all jurisdictions may not have the resources available to implement this type of program immediately. However, the comprehensive approach of implementing the program on the watershed basis will allow for planned, orderly development in a watershed.
- E. The implementation of a stormwater utility represents a comprehensive approach to program funding and implementation. The activities which may be undertaken by a stormwater utility include not only assessment, collection, and funding activities, but also carrying out provisions of adopted stormwater management plans. These provisions may include contracting for such services as project construction, project maintenance, project inspection, and enforcement of installation and maintenance requirements imposed with respect to approved land disturbing activities.

#### **72-301. Definitions.**

As used in these regulations, the following terms shall have the meanings indicated below:

- 1. "Adverse Impact" means a significant negative impact to land, water and associated resources resulting from a land disturbing activity. The negative impact includes increased risk of flooding; degradation of water quality; increased sedimentation; reduced groundwater recharge; negative impacts on aquatic organisms; negative impacts on wildlife and other resources; and threatened public health.
- 2. "Applicant" means a person, firm, or governmental agency who executes the necessary forms to obtain approval or a permit for a land disturbing activity.
- 3. "Appropriate Plan Approval Agency" means the Commission, Local Government, or Conservation District that is responsible in a jurisdiction for review and approval of stormwater management and sediment control plans.
- 4. "As-Built Plans or Record Documents" means a set of engineering or site drawings that delineate the specific permitted stormwater management facility as actually constructed.
- 5. "Best Management Practices" means a wide range of management procedures, schedules of activities, prohibitions on practices and other management practices which have been demonstrated to effectively control the quality and/or quantity of stormwater runoff and which are compatible with the planned land use.
- 6. "Certified Construction Inspector" means a person with the responsibility for conducting inspections during construction and maintenance inspections after the land disturbing activity is completed as certified by the Commission.

7. "Certified Plan Reviewer" means a person with the responsibility for reviewing stormwater management and sediment control plans for an appropriate plan approval agency as certified by the Commission.
8. "Commission" means the South Carolina Land Resources Conservation Commission.
9. "Delegation" means the acceptance of responsibility by a Local Government or Conservation District for the implementation of one or more elements of the statewide stormwater management and sediment control program.
10. "Designated Watershed" means a watershed designated by a local government and approved by the Commission, Department of Health and Environmental Control and the South Carolina Water Resources Commission and identified as having an existing or potential stormwater, sediment control, or nonpoint source pollution problem.
11. "Detention Structure" means a permanent stormwater management structure whose primary purpose is to temporarily store stormwater runoff and release the stored runoff at controlled rates.
12. "Develop Land" means to change the runoff characteristics of a parcel of land in conjunction with residential, commercial, industrial, or institutional construction or alteration.
13. "Developer" means a person undertaking, or for whose benefit, activities covered by these regulations are commenced and/or carried out.
14. "District" means any soil and water conservation district created pursuant to Chapter 9, Title 48, S.C. Code of Laws.
15. "Drainage Area" means that area contributing runoff to a single point.
16. "Easement" means a grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes, and which must be included in the conveyance of land affected by such easement.
17. "Erosion" means the wearing away of land surface by the action of wind, water, gravity, ice, or any combination of those forces.
18. "Erosion and Sediment Control" means the control of solid material, both mineral and organic, during a land disturbing activity to prevent its transport out of the disturbed area by means of air, water, gravity, or ice.
19. "Exemption" means those land disturbing activities that are not subject to the sediment and stormwater requirements contained in these regulations.
20. "Grading" means excavating, filling (including hydraulic fill) or stockpiling of earth material, or any combination thereof, including the land in its excavated or filled condition.
21. "Implementing Agency" means the Commission, local government, or conservation district with the responsibility for receiving stormwater management and sediment control plans for review and approval, reviewing plans, issuing permits for land disturbing activities, or conducting inspections and enforcement actions in a specified jurisdiction.
22. "Infiltration" means the passage or movement of water through the soil profile.
23. "Land Disturbing Activity" means any use of the land by any person that results in a change in the natural cover or topography that may cause erosion and contribute to sediment and alter the quality and quantity of stormwater runoff.
24. "Natural Waterways" means waterways that are part of the natural topography. They usually maintain a continuous or seasonal flow during the year and are characterized as being irregular in cross-section with a meandering course. Construction channels such as drainage ditches shall not be considered natural waterways.
25. "Nonerodible" means a material, e.g., natural rock, riprap, concrete, plastic, etc., that will not experience surface wear due to natural forces of wind, water, ice, gravity or a combination of those forces.



26. "Local Government" means any county, municipality, or any combination of counties or municipalities, acting through a joint program pursuant to the provisions of this chapter.
27. "Nonpoint Source Pollution" means pollution contained in stormwater runoff from ill-defined, diffuse sources.
28. "One Hundred Year Frequency Storm" means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 100 years. It also may be expressed as an exceedence probability with a 1 percent chance of being equaled or exceeded in any given year.
29. "Person" means any State or federal agency, individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, municipality or other political subdivision of this State, any interstate body or any other legal entity.
30. "Person Responsible for the Land Disturbing Activity" means
  - (a) the person who has or represents having financial or operational control over the land disturbing activity; and/or
  - (b) the landowner or person in possession or control of the land who directly or indirectly allowed the land disturbing activity or has benefitted from it or who has failed to comply with any provision of the act, these regulations, or any order or local ordinance adopted pursuant to this act as imposes a duty upon him.
31. "Post-Development" means the conditions which exist following the completion of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction stormwater runoff.
32. "Pre-Development" means the conditions which existed prior to the initiation of the land disturbing activity in terms of topography, vegetation, land use and rate, volume or direction of stormwater runoff.
33. "Redevelopment" means a land disturbance activity that alters the current use of the land but does not necessarily alter the pre-development runoff characteristics.
34. "Responsible Personnel" means any foreman, superintendent, or similar individual who is the on-site person in charge of land disturbing activities.
35. "Retention Structure" means a permanent structure whose primary purpose is to permanently store a given volume of stormwater runoff. Release of the given volume is by infiltration and/or evaporation.
36. "Sediment" means solid particulate matter, both mineral and organic, that has been or is being transported by water, air, ice, or gravity from its site of origin.
37. "Single Family Residence-Separately Built" means a noncommercial dwelling that is occupied exclusively by one family and not part of a residential subdivision development.
38. "Stabilization" means the installation of vegetative or structural measures to establish a soil cover to reduce soil erosion by stormwater runoff, wind, ice and gravity.
39. "Stop Work Order" means an order directing the person responsible for the land disturbing activity to cease and desist all or any portion of the work which violates the provisions of this act.
40. "Stormwater Management" means, for:
  - (a) quantitative control, a system of vegetative or structural measures, or both, that control the increased volume and rate of stormwater runoff caused by manmade changes to the land;
  - (b) qualitative control, a system of vegetative, structural, or other measures that reduce or eliminate pollutants that might otherwise be carried by stormwater runoff.
41. "Stormwater Management and Sediment Control Plan" means a set of drawings, other documents, and supporting calculations submitted by a person as a prerequisite to obtaining a

permit to undertake a land disturbing activity, which contains all of the information and specifications required by an implementing agency.

42. "Stormwater Runoff" means direct response of a watershed to precipitation and includes the surface and subsurface runoff that enters a ditch, stream, storm sewer or other concentrated flow during and following the precipitation.
43. "Stormwater Utility" means an administrative organization that has been created for the purposes of planning, designing, constructing, and maintaining stormwater management, sediment control and flood control programs and projects.
44. "Subdivision", unless otherwise defined in an ordinance adopted by a local government pursuant to Section 6-7-1010, means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions, or parcels less than five acres, for the purpose, whether immediate or future, of sale, legacy, or building development, or includes all division of land involving a new street or a change in existing streets, and includes resubdivision and, where appropriate, in the context, shall relate to the process of subdividing or to the land or area subdivided.
45. "Swale" means a structural measure with a lining of grass, riprap or other materials which can function as a detention structure and convey stormwater runoff without causing erosion.
46. "Ten-Year Frequency Storm" means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 10 years. It may also be expressed as an exceedence probability with a 10 percent chance of being equaled or exceeded in any given year.
47. "Twenty-Five Year Frequency Storm" means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in 25 years. It also may be expressed as an exceedence probability with a 4 percent chance of being equaled or exceeded in any given year.
48. "Two-Year Frequency Storm" means a storm that is capable of producing rainfall expected to be equaled or exceeded on the average of once in two years. It may also be expressed as an exceedence probability with a 50 percent chance of being equaled or exceeded in any given year.
49. "Variance" means the modification of the minimum sediment and stormwater management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of these regulations.
50. "Waiver" means the relinquishment from sediment and stormwater management requirements by the appropriate plan approval authority for a specific land disturbing activity on a case-by-case review basis.
51. "Water Quality" means those characteristics of stormwater runoff from a land disturbing activity that relate to the physical, chemical, biological, or radiological integrity of water.
52. "Water Quantity" means those characteristics of stormwater runoff that relate to the rate and volume of the stormwater runoff to downstream areas resulting from land disturbing activities.
53. "Watershed" means the drainage area contributing stormwater runoff to a single point.
54. "Watershed Master Plan" means a plan for a designated watershed that analyzes the impact of existing and future land uses and land disturbing activities in the entire watershed and includes strategies to reduce nonpoint source pollution, to manage stormwater runoff and control flooding. The plan must be developed for the entire watershed, regardless of political boundaries, and must include appropriate physical, institutional, economic and administrative data needed to justify the plan.

## **72-302. Exemptions, Waivers, and Variances From Law.**

A. The following activities are exempt from both the sediment control and stormwater management requirements established by these regulations:

- (1) Land disturbing activities on agricultural land for production of plants and animals useful to man, including but not limited to: forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats, including the breeding and grazing of these animals; bees; fur animals and aquaculture, except that the construction of an agricultural structure of one or more acres, such as broiler houses, machine sheds, repair shops and other major buildings and which require the issuance of a building permit shall require the submittal and approval of a stormwater management and sediment control plan prior to the start of the land disturbing activity.
- (2) Land disturbing activities undertaken on forest land for the production and harvesting of timber and timber products.
- (3) Activities undertaken by persons who are otherwise regulated by the provisions of Chapter 20 of Title 48, the South Carolina Mining Act.
- (4) Construction or improvement of single family residences or their accessory buildings which are separately built and not part of multiple construction in a subdivision development.
- (5) Land disturbing activities, other than activities identified in R.72-302A(6), that are conducted under another state or federal environmental permitting, licensing, or certification program where the state or federal environmental permit, license, or certification is conditioned on compliance with the minimum standards and criteria developed under this act.
- (6) Any of the following land disturbing activities undertaken by any person who provides gas, electrification, or communications services, subject to the jurisdiction of the South Carolina Public Service Commission, or corporations organized and operating pursuant to Section 33-49-10 et seq.:
  - (a) land disturbing activities conducted pursuant to a certificate of environmental compatibility and public convenience and necessity issued pursuant to Title 58, Chapter 33, of the South Carolina Code, or land disturbing activities conducted pursuant to any other certification or authorization issued by the Public Service Commission;
  - (b) land disturbing activities conducted pursuant to a federal environmental permit, including Section 404 of the Federal Clean Water Act, and including permits issued by the Federal Energy Regulatory Commission;
  - (c) land disturbing activities associated with emergency maintenance or construction of electric, gas, or communications facilities, when necessary to restore service or when the Governor declares the area to have sustained a disaster and the actions are undertaken to protect the public from a threat to health or safety;
  - (d) land disturbing activities associated with routine maintenance and/or repair of electric, gas, or communications lines;
  - (e) land disturbing activities associated with the placement of poles for overhead distribution or transmission of electric energy or of communications services;
  - (f) land disturbing activities associated with placement of underground lines for distribution or transmission of electric energy or of gas or communications services; or
  - (g) land disturbing activities conducted by a person filing environmental reports, assessments or impact statements with the United States Department of Agriculture, Rural Electrification Administration in regard to a project.

Any person, other than a person identified in R.72-302A(6)(g) who undertakes land disturbing activities described in R.72-302A(6)(d,e,f) must file with the South Carolina Public Service Commission, in a Policy and Procedures Manual, the procedures it will follow in conducting such activities. Any person, other than a person identified in R.72-302A(6)(g), who conducts land disturbing activities described in R.72-302A(6)(b), must address the procedures it will follow in conducting the activities in the Policy and Procedures Manual filed with the South Carolina Public Service Commission to the extent that the land disturbing activities are not specifically addressed in the federal permit or permitting process. If any person, other than a person identified in R.72-302A(6)(g), does not have a Policy and Procedures Manual on file with the Public Service Commission, such manual must be filed with the Public Service Commission not later than six months after the effective date of Chapter 14, Title 48 of the 1976 Code of Laws, South Carolina.

Any person who undertakes land disturbing activities described in R.72-302A(6)(g) of this subsection shall give the same written notice to the commission as given to agencies whose permits are required for project approval by the regulations of the United States Department of Agriculture, Rural Electrification Administration.

- (7) Activities relating to the routine maintenance and/or repair or rebuilding of the tracks, rights-of-way, bridges, communication facilities and other related structures and facilities of a railroad company.
- (8) Activities undertaken on state-owned or managed lands that are otherwise regulated by the provisions of Chapter 18 of this title, the Erosion and Sediment Reduction Act.
- (9) Activities undertaken by local governments or special purpose or public service districts relating to the repair and maintenance of existing facilities and structures.

B. Implementing agencies with responsibility for plan review and approval may grant waivers from the stormwater management requirements of these regulations for individual land disturbing activities provided that a written request is submitted by the applicant containing descriptions, drawings, and any other information that is necessary to evaluate the proposed land disturbing activity. A separate written waiver request shall be required if there are subsequent additions, extensions, or modifications which would alter the approved stormwater runoff characteristics to a land disturbing activity receiving a waiver.

- (1) A project may be eligible for a waiver of stormwater management for both quantitative and qualitative control if the applicant can demonstrate that the proposed project will return the disturbed area to a pre-development runoff condition and the pre-development land use is unchanged at the conclusion of the project.
- (2) A project may be eligible for a waiver or variance of stormwater management for water quantity control if the applicant can demonstrate that:
  - (a) The proposed project will have no significant adverse impact on the receiving natural waterway or downstream properties; or
  - (b) The imposition of peak control requirements for rates of stormwater runoff would aggravate downstream flooding.
- (3) The implementing agency will conduct its review of the request for waiver within 10 working days. Failure of the implementing agency to act by end of the tenth working day will result in the automatic approval of the waiver.

C. The implementing agency with responsibility for plan review and approval may grant a written variance from any requirement of these regulations if there are exceptional circumstances applicable to the site such that strict adherence to the provisions of these regulations will result in unnecessary hardship and not fulfill the intent of these regulations. A written request for

variance shall be provided to the plan approval agency and shall state the specific variances sought and the reasons with supporting data for their granting. The plan approval agency shall not grant a variance unless and until sufficient specific reasons justifying the variance are provided by the applicant. The implementing agency will conduct its review of the request for variance within 10 working days. Failure of the implementing agency to act by the end of the tenth working day will result in the automatic approval of the variance.

**72-303. Commission Responsibilities.**

- A. The Commission is responsible for the implementation and supervision of the stormwater management and sediment control program which is established by Chapter 14, Title 48, S.C. Code.
- B. The schedule for implementing the Stormwater Management and Sediment Control Act (48-14-10, et. seq.) has been established by the Commission as follows:
  - (1) These regulations are effective and applicable to all land disturbing activities of five acres and greater on October 1, 1992 regardless of program status at the local level. Local governments with existing local programs as of this date shall require that persons responsible for land disturbing activities on sites with disturbed areas of five acres or greater comply with these regulations. Local governments may request assistance from the Commission to implement these regulations on these sites. If a local government does not have a local program on October 1, 1992, the Commission and others shall function as the implementing agencies.
  - (2) FY 1992-1993
    - Greenville
    - Charleston
    - Richland
    - Spartanburg
    - Lexington
    - Anderson
    - Horry
    - York
    - Berkeley
    - Aiken
    - Florence
    - Sumter
    - Pickens
    - Beaufort
    - Orangeburg
  - (3) FY 1993-1994
    - Dorchester
    - Darlington
    - Greenwood
    - Laurens
    - Oconee
    - Lancaster
    - Georgetown
    - Cherokee

Kershaw  
Chesterfield  
Williamsburg  
Colleton  
Marion  
Newberry  
Chester  
Union

(4) FY 1994-1995

Marlboro  
Dillon  
Clarendon  
Abbeville  
Fairfield  
Barnwell  
Lee  
Edgefield  
Hampton  
Bamberg  
Saluda  
Jasper  
Calhoun  
Allendale  
McCormick

- C. This schedule may be modified by the Commission due to requests from local governments to develop and implement a program prior to the scheduled implementation date. The Commission may also modify this schedule due to personnel or financial resource limitations.
- D. Local governments which adopted stormwater management and/or sediment control programs prior to the effective date of these regulations may continue to administer the existing program until the scheduled implementation date for the local government.

**72-304. Criteria for Delegation/Revocation of Program Elements.**

- A. The Commission may delegate the following components of stormwater management and sediment control programs to local governments or conservation districts as follows:
  - (1) Stormwater management and sediment control plan review and approval/disapproval.
  - (2) Inspections during construction and maintenance inspections.
  - (3) Enforcement.
  - (4) Education and training.
- B. The Commission shall grant delegation of one or more program elements to any local government or conservation district seeking delegation that is found capable and meets all of the criteria set forth herein for delegation to comply with Chapter 48, Title 14, 1976 Code and these regulations.
- C. Request for delegation of more than one program element may be accomplished by the submission of one request for all the elements requested. A rejection by the Commission of one element will not jeopardize delegation of other requested program elements.

- D. To be considered capable of providing compliance with Chapter 14 and these regulations, applications for delegation of program elements shall contain the following requisite items:
- (1) Requests for delegation of stormwater management and sediment control plan review and approval responsibility shall include the following information:
    - (a) Copy of enacted ordinance or program information detailing the plan approval process,
    - (b) Plan review check lists and plan submission requirements,
    - (c) Stormwater management and sediment control criteria, including waiver and variance procedures, that meet minimum standards established by these regulations,
    - (d) Description of personnel allocations including qualifications and experience of personnel, description of computer hardware and software resources and expected time frames for plan review which meet the requirements of R.72-305B(2) and R.72-305M, and
    - (e) Name of the Certified Plan Reviewer.
  - (2) Requests for delegation of inspection during construction and of maintenance inspection responsibility shall include the following information:
    - (a) Inspection and referral procedures,
    - (b) Time frames for inspection of active land disturbing activities,
    - (c) Time frames for inspection of completed stormwater management structures,
    - (d) Inspection forms,
    - (e) Description of adequate personnel allocations including qualifications and experience of personnel,
    - (f) Name of Certified Construction Inspector, and
    - (g) Procedures and time frames for processing complaints.
  - (3) Request for delegation of enforcement responsibility shall include the following information:
    - (a) Procedure for processing violations.
    - (b) Description of personnel allocations involved in enforcement actions including qualifications and experience of personnel.
    - (c) Description of citizen complaint process.
    - (d) Description of applicant appeal process.
  - (4) Requests for delegation of education and training responsibility shall include the following information:
    - (a) Types of educational and training activities to be accomplished,
    - (b) Frequency of activities,
    - (c) Names and backgrounds of those individuals conducting the training, and
    - (d) Procedures and timetables to notify the Commission of educational programs.
- E. Requests for delegation of program elements must be submitted by local governments or conservation districts within six months of the effective date of these regulations, and by January first of subsequent years if delegation is desired at a future date. The Commission shall approve, approve with modification, or deny such a request on or before April first of the year for which delegation is sought.
- F. The S.C. Coastal Council shall assist the Commission in reviewing all requests for delegation of program elements from local governments in the counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Jasper and Horry to ensure that the delegated program elements are consistent with the Coastal Zone Management Program. The S.C. Coastal Council, in coordination with the Commission, will serve as the implementing agency for these regulations in the jurisdictions of the local governments which do not seek delegation of

program elements in the counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry and Jasper.

- G. If the Commission denies a request for delegation, the local government or conservation district may appeal the decision of the Commission by requesting an administrative hearing within 30 days after receipt of written notification as described in R.72-313.
- H. Delegation of authority for one or more program elements may be granted for a maximum time frame of three years. After three years a new application to the Commission must be made. Over the time frame for which delegation has been granted, the Commission will evaluate delegation implementation, coordinate review findings with the delegated authority, and determine if the new delegation should be granted.
- I. A delegated authority may sub-delegate program elements, with Commission concurrence, to a conservation district, regional council of government or other responsible entity or agency.
- J. The Commission shall maintain, and make available upon request, a listing of the current status of delegation for all jurisdictions within the State.
- K. Any local government that has adopted a stormwater management and/or sediment control program prior to the effective date of these regulations may request approval of any, or all, components of its existing program within six months of the effective date of these regulations. The Commission shall give priority to the approval, approval with modification or disapproval of these requests. The local government shall continue to administer the existing program during the review process by the Commission. Efficiency and effectiveness of the existing program shall be considered in the review process.
  - (1) The Commission shall approve a delegation request upon determining that the implementation of the existing program by the local government equal or exceed the requirements, criteria, standards and specifications of these regulations.
  - (2) If the request for delegation of program components are disapproved, the local government may appeal the decision of the Commission by requesting an administrative hearing within 30 days after receiving written notification of the disapproval as described in R.72-313.
- L. If the Commission determines that a delegated program falls below acceptable standards established by these regulations, delegation may be suspended. During a period of suspension, the Commission shall be responsible for implementation of the program element. The Commission shall collect fees based on R.72-306 for use when the delegation is suspended. The following actions may be cause for suspension if they represent a continuing pattern of action or in-action:
  - (1) Failure of implementing agency with the responsibility for enforcement to issue a violation in the event of off-site sediment or stormwater damage resulting from non-compliance with the approved plan.
  - (2) Failure of the implementing agency to assess a fine when a violation has not been corrected within the specified time frame.
  - (3) Failure of the implementing agency to stop work when a violation has resulted in off-site damages.
  - (4) Failure of the implementing agency to force compliance with an approved plan.
  - (5) Failure of the delegated program to comply with the provisions of its application for delegation.
- M. Upon suspension of the delegation, the implementing agency has the right to file an appeal within 30 days of the notification of the suspension following procedures listed in R.72-313. The Commission shall administer the program during the appeal process.



#### **72-305. Permit Application and Approval Process.**

- A. After the effective date of these regulations, unless a particular activity is exempted by these regulations, a person may not undertake a land disturbing activity without an approved stormwater management and sediment control plan from the appropriate plan approval agency that is consistent with the following items:
- (1) Chapter 14, Title 48, South Carolina Code, relating to erosion and sediment control and stormwater management, and
  - (2) These regulations, or duly adopted county or municipal ordinances or programs that are adopted as a part of the delegation process and set minimum standards equivalent to these regulations.
- B. Specific requirements of the permit application and approval process are generally based on the extent of the land disturbing activity. The permit application and approval procedure is as follows:
- (1) For land disturbing activities involving two (2) acres or less of actual land disturbance which are not part of a larger common plan of development or sale, the person responsible for the land disturbing activity shall submit a simplified stormwater management and sediment control plan meeting the requirements of R.72-307H. This plan does not require approval by the implementing agency and does not require preparation or certification by the designers specified in R.72-305H and R.72-305I.
  - (2) For land disturbing activities involving more than two (2) acres and less than five (5) acres of actual land disturbance which are not part of a larger common plan of development or sale, a simplified permitting and approval process will be used meeting the requirements of R.72-307I. These activities are required to utilize Best Management Practices (BMP's) to control erosion and sediment and to utilize appropriate measures to control the quantity of stormwater runoff. Plans and specifications for these activities will be prepared by the designers cited in R.72-305H and R.72-305I. The implementing agency will review these submissions within a ten working day period. If action is not taken by the end of the review period, the plan will be considered approved.
  - (3) For land disturbing activities disturbing more than five (5) acres, the requirements of R.72-305 and R.72-307 will apply. However, the use of measures other than ponds to achieve water quality improvement are recommended on sites containing less than ten (10) disturbed acres. Plans and specifications for these activities will be prepared by the designers specified in R.72-305H or R.72-305I.
  - (4) These requirements may be modified on a case-by-case basis to address specific stormwater quantity or quality problems or to meet S.C. Coastal Council or other regulatory requirements. Requests for waivers or variances from these requirements will be made in accordance with the provisions of R.72-302.
  - (5) When the land disturbing activity consists of the construction of a pond, lake or reservoir which is singly built and not part of a permitted land disturbing activity, the following procedures will apply:
    - (a) A stormwater management and sediment control plan will not be required if the pond, lake or reservoir is permitted under the S.C. Dams and Reservoirs Safety Act or has received a Certificate of Exemption from the S.C. Dams and Reservoirs Safety Act. Best management practices should be used to minimize the impact of erosion and sediment.
    - (b) A stormwater management and sediment control plan will be required for the construction of all ponds, lakes or reservoirs not meeting the conditions in

R.72-305B(5)(a) that otherwise meet the size requirements for stormwater management and sediment control plan approval.

- C. A stormwater management and sediment control plan or an application for a waiver shall be submitted to the appropriate plan approval agency by the person responsible for the land disturbing activity for review and approval for a land disturbing activity, unless otherwise exempted. The stormwater management and sediment control plan shall contain supporting computations, drawings, and sufficient information describing the manner, location, and type of measures in which stormwater runoff will be managed from the entire land disturbing activity. The appropriate plan approval agency shall review the plan to determine compliance with the requirements of these regulations prior to approval. The approved stormwater management and sediment control plan shall serve as the basis for water quantity and water quality control on all subsequent construction.
- D. All stormwater management and sediment control plans submitted for approval shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the approved plan and that responsible personnel will be assigned to the project.
- E. All stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity of the right of the Commission or implementing agency to conduct on-site inspections.
- F. The stormwater and sediment management plan shall not be considered approved without the inclusion of an approval stamp with a signature and date on the plans by the appropriate plan approval agency. The stamp of approval on the plans is solely an acknowledgement of satisfactory compliance with the requirements of these regulations. The approval stamp does not constitute a representation or warranty to the applicant or any other person concerning the safety, appropriateness of effectiveness of any provision, or omission from the stormwater and sediment plan.
- G. When the local conservation district is not the plan approval agency, the conservation district may request to review and comment on stormwater management and sediment control plans. Failure of the conservation district to provide comments by the date specified by the local implementing agency will not delay the approval of the stormwater management and sediment control plans by the implementing agency.
- H. All stormwater management and sediment control plans submitted to the appropriate plan approval agency for approval shall be certified by the designer. The following disciplines may certify and stamp/seal plans as allowed by their respective licensing act and regulations:
  - (1) Registered professional engineers as described in Title 40, Chapter 22.
  - (2) Registered landscape architects as described in Title 40, Chapter 28, Section 10, item (b).
  - (3) Tier B land surveyors as described in Title 40, Chapter 22.
- I. Pursuant to Title 40, Chapter 22, Section 460, stormwater management and sediment control plans may be prepared by employees of the federal government and submitted by the person responsible for the land disturbing activity to the appropriate plan approval agency for approval.
- J. These regulations do not prohibit other disciplines or Certified Professionals, including, but not limited to, Certified Professional Erosion and Sediment Control Specialists, which have appropriate background and experience from taking active roles in the preparation of the plan and design process. All plans and specifications submitted to the appropriate plan approval agency for approval shall be stamped/sealed by those listed in R.72-305H or prepared by employees of the federal government under R.72-305I.

- K. Approved plans remain valid for 5 years from the date of an approval. Extensions or renewals of the plan approvals will be granted by the plan approval agency upon written request by the person responsible for the land disturbing activity.
- L. Approvals of land disturbing activities which were approved prior to the effective date of these regulations shall remain in effect for the original term of the approval. For land disturbing activities which were not initiated during the original term of approval, the person responsible for the land disturbing activity shall resubmit the stormwater management and sediment control plan to the appropriate plan approval agency for review and approval subject to the requirements of these regulations.
- M. Upon receipt of a completed application for sediment and stormwater management, the appropriate plan approval agency shall accomplish its review and have either the approval or review comments transmitted to the applicant within 20 working days. If notice is not given to the applicant or if action is not taken by the end of the 20 working day period, the applicants plan will be considered approved.
- N. One year after the effective date of Chapter 14, Title 48 of the Code of Laws of South Carolina, a federal agency or facility may not undertake a land disturbing activity unless the agency has submitted a stormwater management and sediment control plan for the specific activity to the Commission and the plan has been approved. In lieu of submitting individual plans for approval, the federal agency or facility may submit an application for a general permit to the Commission for approval.
- O. A local government or special purpose or public service district may request a general permit for its regulated activities from the Commission. If a local government's or special purpose or public service district's request is approved, individual stormwater management and sediment control plans for regulated land disturbing activities will not be required.

#### **72-306. Fees.**

- A. The fees associated with the plan review and approval process inspection and enforcement shall be set by the implementing agency. If permit fees are established, they shall be established in accordance with the following items:
  - (1) Delegation of program elements will depend, to a large extent, on funding and personnel commitments. If the delegated jurisdiction has a source of funding that is provided through local revenues, then the implementation of the delegated component will not necessitate the imposition of a permit fee to cover the cost of the delegated program component.
  - (2) In the event that one component of an overall stormwater management and sediment control program is not funded through the use of general or special funds, a non-refundable permit fee may be collected at the time that the stormwater management and sediment control plan or application for waiver or variance is submitted or approved. The permit fee will provide for the unfunded costs of plan review, administration and management of the permitting office, construction review, maintenance inspection, and education and training. The plan review or permit approval agency shall be responsible for the collection of the permit fee. Unless all program elements in a county or municipality have been delegated to a single agency, the funds collected not supporting the plan review function shall be distributed to the appropriate agencies.
  - (3) The number of needed personnel and the direct and indirect expenses associated with those personnel shall be developed by the agencies requesting delegation in a specific jurisdiction. Those expenses will then form the basis for determining unit plan approval costs by the local government.

- B. Where the Commission is the implementing agency, the Commission may assess a fee not to exceed \$50.00 per disturbed acre up to a maximum of \$1000.00. No fee will be charged for land disturbing activities which disturb two acres or less. The Commission may also charge a fee not to exceed \$100.00 to review an application for a waiver or variance from the requirements of these regulations. No fee will be charged for extensions or renewal of plan approval unless there are significant changes to the plans.
- C. A maintenance fee may be required on approvals granted for stormwater management structures that will be maintained by a local government.

**72-307. Specific Design Criteria, Minimum Standards and Specifications.**

- A. General submission requirements for all projects requiring stormwater management and sediment control plan approval will include the following information as applicable:
  - (1) A standard application form,
  - (2) A vicinity map indicating north arrow, scale, and other information necessary to locate the property or tax parcel,
  - (3) A plan at an appropriate scale accompanied by a design report and indicating at least:
    - (a) The location of the land disturbing activity shown on a USGS 7.5 minute topographic map or copy.
    - (b) The existing and proposed topography, overlaid on a current plat showing existing and proposed contours as required by the implementing agency. The plat and topographic map should conform to provisions of Article 4, Regulations 400-490.
    - (c) The proposed grading and earth disturbance including:
      - 1. Surface area involved; and
      - 2. Limits of grading including limitation of mass clearing and grading whenever possible.
    - (d) Stormwater management and stormwater drainage computations, including:
      - 1. Pre- and post-development velocities, peak rates of discharge, and inflow and outflow hydrographs of stormwater runoff at all existing and proposed points of discharge from the site,
      - 2. Site conditions around points of all surface water discharge including vegetation and method of flow conveyance from the land disturbing activity, and
      - 3. Design details for structural controls.
    - (e) Erosion and sediment control provisions, including:
      - 1. Provisions to preserve top soil and limit disturbance;
      - 2. Details of site grading; and
      - 3. Design details for structural controls which includes diversions and swales.
  - (4) Federal Emergency Management Agency flood maps and federal and State wetland maps, where appropriate.
  - (5) The appropriate plan approval agency shall require that plans and design reports be sealed by a qualified design professional that the plans have been designed in accordance with approved sediment and stormwater ordinances and programs, regulations, standards and criteria.
  - (6) Additional information necessary for a complete project review may be required by the appropriate plan approval agency as deemed appropriate. This additional information may include items such as public sewers, water lines, septic fields, wells, etc.
- B. Specific requirements for the erosion and sediment control portion of the stormwater management and sediment control plan approval process include, but are not limited to, the

following items. The appropriate plan approval agency may modify the following items for a specific project or type of project.

- (1) All plans shall include details and descriptions of temporary and permanent erosion and sediment control measures and other protective measures shown on the stormwater and sediment management plan. Procedures in a stormwater and sediment management plan shall provide that all sediment and erosion controls are inspected at least once every seven calendar day and after any storm event of greater than 0.5 inches of precipitation during any 24-hour period.
- (2) Specifications for a sequence of construction operations shall be contained on all plans describing the relationship between the implementation and maintenance of sediment controls, including permanent and temporary stabilization and the various stages or phases of earth disturbance and construction. The specifications for the sequence of construction shall, at a minimum, include the following activities:
  - (a) Clearing and grubbing for those areas necessary for installation of perimeter controls;
  - (b) Installation of sediment basins and traps;
  - (c) Construction of perimeter controls;
  - (d) Remaining clearing and grubbing;
  - (e) Road grading;
  - (f) Grading for the remainder of the site;
  - (g) Utility installation and whether stormdrains will be used or blocked until after completion of construction;
  - (h) Final grading, landscaping, or stabilization; and
  - (i) Removal of sediment controls.

Changes to the sequence of construction operations may be modified by the person conducting the land disturbing activity or their representative and do not constitute a violation unless measures to control stormwater runoff and sediment are not utilized.

- (3) The plans shall contain a description of the predominant soil types on the site, as described by the appropriate soil survey information available through the Commission or the local Conservation District.
  - (4) When work in a live waterway is performed, precautions shall be taken to minimize encroachment, control sediment transport and stabilize the work area to the greatest extent possible during construction.
  - (5) Vehicle tracking of sediments from land disturbing activities onto paved public roads carrying significant amounts of traffic (ADT of 25 vehicles/day or greater) shall be minimized.
- C. Specific requirements for the permanent stormwater management portion of the stormwater management and sediment control plan approval process include, but are not limited to, the following items. The appropriate plan approval agency may modify the following items for a specific project or type of project.
- (1) It is the overall goal of the Commission to address stormwater management on a watershed basis to provide a cost effective water quantity and water quality solution to the specific watershed problems. These regulations will provide general design requirements that must be adhered to in the absence of Designated Watershed specific criteria.
  - (2) All hydrologic computations shall be accomplished using a volume based hydrograph method acceptable to the Commission. The storm duration for computational purposes for this method shall be the 24-hour rainfall event, SCS distribution with a 0.1 hour burst duration time increment. The rational and/or modified rational methods are acceptable for sizing individual culverts or stormdrains that are not part of a pipe network or system and

do not have a contributing drainage area greater than 20 AC. The storm duration for computational purposes for this method shall be equal to the time of concentration of the contributing drainage area or a minimum of 0.1 hours, whichever is less.

- (3) Stormwater management requirements for a specific project shall be based on the entire area to be developed, or if phased, the initial submittal shall control that area proposed in the initial phase and establish a procedure and obligation for total site control.
- (4) Water quantity control is an integral component of overall stormwater management. The following design criteria for flow control is established for water quantity control purposes, unless a waiver is granted based on a case-by-case basis:
  - (a) Post-development peak discharge rates shall not exceed pre-development discharge rates for the 2- and 10- year frequency 24-hour duration storm event. Implementing agencies may utilize a less frequent storm event (e.g. 25-year, 24-hour) to address existing or future stormwater quantity or quality problems.
  - (b) Discharge velocities shall be reduced to provide a nonerosive velocity flow from a structure, channel, or other control measure or the velocity of the 10-year, 24-hour storm runoff in the receiving waterway prior to the land disturbing activity, whichever is greater.
  - (c) Watersheds, other than Designated Watersheds, that have well documented water quantity problems may have more stringent, or modified, design criteria determined by the local government that is responsive to the specific needs of that watershed.
- (5) Water quality control is also an integral component of stormwater management. The following design criteria is established for water quality protection unless a waiver or variance is granted on a case-by-case basis.
  - (a) When ponds are used for water quality protection, the ponds shall be designed as both quantity and quality control structures. Sediment storage volume shall be calculated considering the clean out and maintenance schedules specified by the designer during the land disturbing activity. Sediment storage volumes may be predicted by the Universal Soil Loss Equation or methods acceptable to the Commission.
  - (b) Stormwater runoff and drain to a single outlet from land disturbing activities which disturb ten acres or more shall be controlled during the land disturbing activity by a sediment basin where sufficient space and other factors allow these controls to be used until the final inspection. The sediment basin shall be designed and constructed to accommodate the anticipated sediment loading from the land-disturbing activity and meet a removal efficiency of 80 percent suspended solids or 0.5 ML/L peak settleable solids concentration, whichever is less. The outfall device or system design shall take into account the total drainage area flowing through the disturbed area to be served by the basin.
  - (c) Other practices may be acceptable to the appropriate plan approval agency if they achieve an equivalent removal efficiency of 80 percent for suspended solids or 0.5 ML/L peak settleable solids concentration, which ever is less. The efficiency shall be calculated for disturbed conditions for the 10-year 24-hour design event.
  - (d) Permanent water quality ponds having a permanent pool shall be designed to store and release the first ½ inch of runoff from the site over a 24 hour period. The storage volume shall be designed to accommodate, at least, ½ inch of runoff from the entire site.
  - (e) Permanent water quality ponds, not having a permanent pool, shall be designed to release the first inch of runoff from the site over a 24-hour period.
  - (f) Permanent infiltration practices, when used, shall be designed to accept, at a minimum, the first inch of runoff from all impervious areas.

- (g) For activities in the eight coastal counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Jasper and Horry, additional water quality requirements may be imposed to comply with the S.C. Coastal Council Stormwater Management Guidelines. If conflicting requirements exist for activities in the eight coastal counties, the S.C. Coastal Council guidelines will apply.
- (6) Where ponds are the proposed method of control, the person responsible for the land disturbing activity shall submit to the approving agency, when required, an analysis of the impacts of stormwater flows downstream in the watershed for the 10- and 100-year frequency storm event. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impact of hydrograph timing modifications of the proposed land disturbing activity, with and without the pond. The results of the analysis will determine the need to modify the pond design or to eliminate the pond requirement. Lacking a clearly defined downstream point of constriction, the downstream impacts shall be established, with the concurrence of the implementing
- (7) Where existing wetlands are intended as a component of an overall stormwater management system, the approved stormwater management and sediment control plan shall not be implemented until all necessary federal and state permits have been obtained.
- (8) Designs shall be in accordance with standards developed or approved by the Commission.
- (9) Ease of maintenance must be considered as a site design component. Access to the stormwater management structure must be provided.
- (10) A clear statement of defined maintenance responsibility shall be established during the plan review and approval process.
- (11) Infiltration practices have certain limitations on their use on certain sites. These limitations include the following items:
  - (a) Areas draining to these practices must be stabilized and vegetative filters established prior to runoff entering the system. Infiltration practices shall not be used if a suspended solids filter system does not accompany the practice. If vegetation is the intended filter, there shall be, at least a 20 foot length of vegetative filter prior to stormwater runoff entering the infiltration practice;
  - (b) The bottom of the infiltration practice shall be at least 0.5 feet above the seasonal high water table, whether perched or regional, determined by direct piezometer measurements which can be demonstrated to be representative of the maximum height of the water table on an annual basis during years of normal precipitation, or by the depth in the soil at which mottling first occurs;
  - (c) The infiltration practice shall be designed to completely drain of water within 72 hours;
  - (d) Soils must have adequate permeability to allow water to infiltrate. Infiltration practices are limited to soils having an infiltration rate of least 0.30 inches per hour. Initial consideration will be based on a review of the appropriate soil survey, and the survey may serve as a basis for rejection. On-site soil borings and textural classifications must be accomplished to verify the actual site and seasonal high water table conditions when infiltration is to be utilized;
  - (e) Infiltration practices greater than three feet deep shall be located at least 10 feet from basement walls;
  - (f) Infiltration practices designed to handle runoff from impervious parking areas shall be a minimum of 150 feet from any public or private water supply well;
  - (g) The design of an infiltration practice shall provide an overflow system with measures to provide a non-erosive velocity of flow along its length and at the outfall;

- (h) The slope of the bottom of the infiltration practice shall not exceed five percent. Also, the practice shall not be installed in fill material as piping along the fill/natural ground interface may cause slope failure;
    - (i) An infiltration practice shall not be installed on or atop a slope whose natural angle of incline exceeds 20 percent.
    - (j) Clean outs will be provided at a minimum, every 100 feet along the infiltration practice to allow for access and maintenance.
  - (12) A regional approach to stormwater management is an acceptable alternative to site specific requirements and is encouraged.
- D. All stormwater management and sediment control practices shall be designed, constructed and maintained with consideration for the proper control of mosquitoes and other vectors. Practices may include, but are not limited to:
- (1) The bottom of retention and detention ponds should be graded and have a slope not less than 0.5 percent.
  - (2) There should be no depressions in a normally dry detention facility where water might pocket when the water level is receding.
  - (3) Normally dry detention systems and swales should be designed to drain within three (3) days.
  - (4) An aquatic weed control program should be utilized in permanently wet structures to prevent an overgrowth of vegetation in the pond. Manual harvesting is preferred.
  - (5) Fish may be stocked in permanently wet retention and detention ponds.
  - (6) Normally dry swales and detention pond bottoms should be constructed with a gravel blanket or other measure to minimize the creation of tire ruts during maintenance activities.
- E. A stormwater management and sediment control plan shall be filed for a residential development and the buildings constructed within, regardless of the phasing of construction.
- (1) In applying the stormwater management and sediment control criteria, in R.72-307, individual lots in a residential subdivision development shall not be considered to be separate land disturbing activities and shall not require individual permits. Instead, the residential subdivision development, as a whole, shall be considered to be a single land disturbing activity. Hydrologic parameters that reflect the ultimate subdivision development shall be used in all engineering calculations.
  - (2) If individual lots or sections in a residential subdivision are being developed by different property owners, all land-disturbing activities related to the residential subdivision shall be covered by the approved stormwater management and sediment control plan for the residential subdivision. Individual lot owners or developers may sign a certificate of compliance that all activities on that lot will be carried out in accordance with the approved stormwater management and sediment control plan for the residential subdivision. Failure to provide this certification will result in owners or developers of individual lots developing a stormwater management and sediment control plan meeting the requirements of R.72-307.
  - (3) Residential subdivisions which were approved prior to the effective date of these regulations are exempt from these requirements. Development of new phases of existing subdivisions which were not previously approved shall comply with the provisions of these regulations.



F. Risk analysis may be used to justify a design storm event other than prescribed or to show that rate and volume control is detrimental to the hydrologic response of the basin and therefore, should not be required for a particular site.

- (1) A complete watershed hydrologic/hydraulic analysis must be done using a complete model/procedure acceptable to the implementing agency. The level of detail of data required is as follows:
  - (a) Watershed designation on the 7.5 minute topo map exploded to a minimum of 1" = 400'.
  - (b) Inclusion of design and performance data to evaluate the effects of any structures which effect discharge. Examples may be ponds or lakes, road crossings acting as attenuation structures and there may be others which must be taken into account.
  - (c) Land use data shall be taken from the most recent aerial photograph and field checked and updated.
  - (d) The water surface profile shall be plotted for the conditions of pre- and post-development for the 10-, and 100-year 24-hour storm.
  - (e) Elevations of any structure potentially damaged by resultant flow shall also be shown.
- (2) Based on the results of this type of evaluation, the certified plan reviewer representing the implementing agency shall review and evaluate the proposed regulation waiver or change.

G. The general permit application for use by federal, local governments, or special purpose or public service districts shall contain, as a minimum, standard plans and specifications for stormwater management and erosion and sediment control; methods used to calculate stormwater runoff, soil loss and control method performance; staff assigned to monitor land disturbing activities and procedures to handle complaints for off-site property owners and jurisdictions. This general permit will be valid for a period of three years and will be subject to the same review criteria by the Commission as that of the delegated program elements.

The use of the general permit classification does not relinquish a land disturbing activity from the requirements of these Regulations. Rather, the general permit precludes that activity from the necessity of a specific plan review for each individual project.

Approval of a general permit does not relieve any agency from the conditions that are part of the general permit approval regarding the implementation of control practices as required by the general permit. Failure to implement control practices pursuant to conditions included in the general permit may result in the revocation of the general permit and the requirement of the submission of individual plans for each activity.

H. The stormwater management and sediment control plan required for land disturbing activities of two (2) acres or less which are not part of a larger common plan of development or sale shall contain the following information, as applicable:

- (1) An anticipated starting and completion date of the various stages of land disturbing activities and the expected date the final stabilization will be completed;
- (2) A narrative description of the stormwater management and sediment control plan to be used during land disturbing activities;
- (3) General description of topographic and soil conditions of the tract from the local soil and water conservation district;
- (4) A general description of adjacent property and a description of existing structures, buildings, and other fixed improvements located on surrounding properties;

- (5) A sketched plan (engineer's, Tier B surveyor's or landscape architect's seal not required) to accompany the narrative which shall contain:
  - (a) A site location drawing of the proposed project, indicating the location of the proposed project in relation to roadways, jurisdictional boundaries, streams and rivers;
  - (b) The boundary lines of the site on which the work is to be performed;
  - (c) A topographic map of the site if required by the implementing agency;
  - (d) The location of temporary and permanent vegetative and structural stormwater management and sediment control measures.
- (6) Stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the plan.
- (7) All stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity of the right of the Commission or implementing agency to conduct on-site inspections.

The requirements contained above may be indicated on one plan sheet.

- I. The stormwater management and sediment control plan for land disturbing activities of greater than two (2) acres but less than five (5) acres which are not part of a larger common plan of development or sale shall contain the following information, as applicable:
  - (1) An abbreviated application form;
  - (2) A vicinity map sufficient to locate the site and to show the relationship of the site to its general surroundings at a scale of not smaller than one (1) inch to one (1) mile.
  - (3) The site drawn to a scale of not smaller than one (1) inch to 200 feet, showing:
    - (a) The boundary lines of the site on which the work is to be performed, including the approximate acreage of the site;
    - (b) Existing contours and proposed contours as required by the implementing agency;
    - (c) Proposed physical improvements on the site, including present development and future utilization if future development is planned;
    - (d) A plan for temporary and permanent vegetative and structural erosion and sediment control measures which specify the erosion and sediment control measures to be used during all phases of the land disturbing activity and a description of their proposed operation;
  - (e) Provisions for stormwater runoff control during the land disturbing activity and during the life of the facility, including a time schedule and sequence of operations indicating the anticipated starting and completion dates of each phase and meeting the following requirements:
    - 1. Post-development peak discharge rates shall not exceed pre-development discharge rates for the 2- and 10- year frequency 24-hour duration storm event. Implementing agencies may utilize a less frequent storm event (e.g. 25-year, 24-hour) to address existing or future stormwater quantity or quality problems.
    - 2. Discharge velocities shall be reduced to provide a nonerosive velocity flow from a structure, channel, or other control measure or the velocity of the 10-year, 24-hour storm runoff in the receiving waterway prior to the land disturbing activity, whichever is greater.
  - (f) A complete and adequate grading plan for borrow pits and material processing facilities where applicable, including restoration and revegetation measures;
  - (g) A general description of the predominant soil types on the site;
  - (h) A description of the maintenance program for stormwater management and sediment control facilities including inspection programs.

- (4) All stormwater management and sediment control plans submitted for approval shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the approved plan.
- (5) All stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity of the right of the Commission or implementing agency to conduct on-site inspections.
- (6) All stormwater management and sediment control plans submitted to the appropriate plan approval agency for approval shall be certified by the designer. The following disciplines may certify and stamp/seal plans as allowed by their respective licensing act and regulations:
  - (a) Registered professional engineers as described in Title 40, Chapter 22.
  - (b) Registered landscape architects as describe in Title 40, Chapter 28, Section 10, item (b).
  - (c) Tier B land surveyors as described in Title 40, Chapter 22.
- (7) Pursuant to Title 40, Chapter 22, Section 460, stormwater management and sediment control plans may be prepared by employees of the federal government and submitted by the person responsible for the land disturbing activity to the appropriate plan approval agency for approval.

**72-308. Maintenance Requirements and Off-Site Damage Correction.**

- A. The Commission will provide technical assistance to local governments who choose to assume the maintenance responsibility for stormwater management structures on, at least, residential lands.
- B. The person responsible for maintenance shall perform or cause to be performed preventive maintenance of all completed stormwater management practices to ensure proper functioning. The responsible inspection agency shall ensure preventive maintenance through inspection of all stormwater management practices.
- C. Inspection reports shall be maintained by the responsible inspection agency on all detention and retention structures and shall include the following items (as applicable):
  - (1) The date of inspection;
  - (2) The name of the inspector;
  - (3) The condition of (if applicable):
    - (a) Vegetation,
    - (b) Fences,
    - (c) Spillways,
    - (d) Embankments,
    - (e) Reservoir area,
    - (f) Outlet channels,
    - (g) Underground drainage,
    - (h) Sediment load, or
    - (i) Other items which could effect the proper function of the structure.
  - (4) Description of needed maintenance.
- D. Responsible inspection agencies shall provide procedures to ensure that deficiencies indicated by inspections are rectified. The procedures shall include the following:
  - (1) Notification to the person responsible for maintenance of deficiencies including a time frame for repairs;

- (2) Subsequent inspection to ensure completion of repairs; and
  - (3) Effective enforcement procedures or procedures to refer projects to the Commission if repairs are not undertaken or are not done properly.
- E. The following criteria shall be used by the appropriate implementing agency in evaluating and for correcting off-site damages resulting from the land disturbing activity:
- (1) Determine the extent of damage by sediment resulting from non-compliance with the approved stormwater management and sediment control plan,
  - (2) Determine the classification of the impaired waterbody, if any,
  - (3) Determine the impact and severity of the damage resulting from non-compliance with the approved stormwater management and sediment control plan,
  - (4) Develop an agreement with landowners for cleanup and corrections, including a schedule of implementation.
  - (5) Evaluate the alternatives for correction of the damage and prevention of future damage, and
  - (6) Failure to implement the agreement in the required schedule will constitute a violation of these regulations.

#### **72-309. Criteria For Designated Watersheds.**

The concept of designated watersheds is intended, not only to prevent existing water quantity and water quality problems from getting worse, but also to reduce existing flooding problems and to improve existing water quality or meet State Water Quality Standards through a reduction of the impacts of NPS pollution in selected watersheds. Further, the designation of watersheds under this section may also be used to protect watersheds which do not currently have significant water quality or quantity problems, but which require protection in order to avoid or mitigate the occurrence of future problems which might impair current or protected multiple water uses or important water resources within the watershed. Criteria is established for designated watersheds and these criteria will depend on whether the specific problems of the watershed are water quantity or water quality oriented. Water quantity and water quality concerns will be considered in all designated watersheds, but the overall emphasis for each designated watershed will depend on its existing and future water quality and quantity issues as well as consideration of the multiple offstream and instream water uses within the watershed.

A. To initiate consideration of a watershed for Designated Watershed status, a watershed shall be recommended by a local government or combinations of local governments through the passage of a local ordinance to the Commission. Upon recommendation to the Commission, the Commission shall publish the request in the State Register and contact all involved agencies at the local and state level within 30 days after receipt of the designation request and their input received prior to any consideration of the designation is made.

B. Included with the recommendation of a watershed for Designated Watershed status to the Commission shall be an identification of the specific problems that exist in the watershed so that the pursuit of a watershed study is warranted. Designation as a Designated Watershed requires approval by the Commission, the South Carolina Water Resources Commission and the South Carolina Department of Health and Environmental Control. A significant water quantity or water quality problem must exist that would support this designation. Also, inclusion of a watershed as a Designated Watershed will necessitate a public hearing process. The process of designating a watershed shall be based on the following information:

- (1) An estimate of the potential for land disturbing activities to be initiated in the basin which would be regulated under this regulation. This estimate could utilize historical and projected population growth, land use data, and other such appropriate measures to estimate the nonpoint source pollution contribution or stormwater runoff which could be reduced or avoided,
- (2) An inventory of the offstream and instream water uses in the watershed to quantify and characterize the benefits associated with reducing current or avoiding future water resources problems in the watershed. These could include water supply intakes, State navigable waters, recreational resources, fisheries resources, wetlands, or other such important uses,
- (3) Water quality data, collected through either the statewide water quality inventory, or other special studies inclusive of benthic macroinvertebrate data,
- (4) Historical and estimated flood damage and/or estimated flood protection benefits to both private and public property in the watershed,
- (5) Status of current or description of proposed State and Federal flood protection and flood plain management program(s) and activities in the watershed, and
- (6) Dangers to public health and welfare.

C. Following an adequate review of the recommendation, staff of the Commission, South Carolina Water Resources Commission, and the South Carolina Department of Health and Environmental Control shall meet to review and discuss their decision regarding designation. The staff shall prepare a statement in support of, or objection to, the proposed designation within 120 days following receipt of the recommendation by the Commission. The statement shall be voted upon by the appointed commissioners of each respective agency. Ex-officio members of the South Carolina Water Resources Commission representing the Land Resources Conservation Commission and the South Carolina Department of Health and Environmental Control shall abstain from voting regarding designation at the meeting of the South Carolina Water Resources Commission. Approval by each of the three agencies shall constitute designation.

- D. Upon approval of designation, a Watershed Advisory Committee shall be established to advise and provide guidance in the development and conduct of the watershed master plan. The Commission, South Carolina Water Resources Commission, and the South Carolina Department of Health and Environmental Control will appoint the Watershed Advisory Committee which shall include State, District, local government representatives, and also representatives of the regulated community within the watershed and other persons which may be affected by the plan.
- E. The general components contained in the actual watershed study shall be the following items:
  - (1) Stormwater quantity or water quality problem identification,
  - (2) The overall needs of the watershed including the additional impacts of new land disturbing activities,
  - (3) Alternative approaches to address the existing and future problems,
  - (4) A selected approach that includes the overall costs and benefits,
  - (5) An economic impact analysis of the selected approach,
  - (6) Schedule for implementation,
  - (7) Funding sources that are available for the actual implementation of study recommendations, and
  - (8) A public hearing prior to final Commission, S.C. Water Resources Commission and S.C. Department of Health and Environmental Control approval of the watershed study.
- F. The following goals are to be obtained through the implementation of the Designated Watershed program:
  - (1) Reduction of existing flooding or water quality impacts,

- (2) Prevention of future flooding or water quality impacts, and
- (3) Minimization of economic and social losses.
- G. Specific plan components of a watershed study shall include, but not be limited to, the following items:
  - (1) The limits of the watershed.
  - (2) An inventory of existing water quality data.
  - (3) An inventory of areas having significant natural resource value as defined in existing State or local studies as they may be impacted by the construction or location of stormwater control structures.
  - (4) An inventory of areas of historical and archaeological value identified in existing State or local studies as they may be impacted by the construction or location of stormwater control structures,
  - (5) A map or series of maps of the watershed showing the following information:
    - (a) Watershed topography,
    - (b) Significant geologic formations,
    - (c) Soils information,
    - (d) Existing land use based on existing zoning,
    - (e) Proposed land use based on expected zoning or comprehensive plans,
    - (f) Locations where water quality data were obtained.
    - (g) Locations of existing flooding problems including floor and corner elevations of structures already impacted, and
    - (h) 100-year floodplain delineations, water surface profiles, and storm hydrographs at selected watershed location.
  - (6) An inventory of the existing natural and constructed stormwater management system.
  - (7) An inventory of historic flood damage sites, including frequency and damage estimates,

#### **72-310. Criteria For Implementation of a Stormwater Utility.**

The implementation of a stormwater utility will necessitate the development of a local utility ordinance or special taxing assessment prior to its implementation, pursuant to Chapter 9, Title 4, 1976 Code of Laws as amended by Act 114 1991. There are essential components that an ordinance must contain to function as a funding mechanism for stormwater management and those components shall include, but not be limited to, the following items:

- A. The financing of a stormwater utility with a user charge system must be reasonable and equitable so that each user of the stormwater system pays to the extent to which the user contributes to the need for the stormwater system, and that the charges bear a substantial relationship to the cost of the service. The use of county and municipal taxpayer rolls and accounting systems are allowed for the assessment and collection of fees.
- B. The intent of the utility must be clearly defined regarding program components that are to be funded through the utility. Those components may include but not be limited to the following activities:
  - (1) Preparation of comprehensive watershed master plans for stormwater management,
  - (2) Annual inspections of all stormwater management facilities, both public and private,
  - (3) Undertaking regular maintenance, through contracting or other means, of stormwater management structures that have been accepted for maintenance.
  - (4) Plan review and inspection of sediment control and stormwater management plans and practices, and
  - (5) Retrofitting designated watersheds, through contracting or other means, to reduce existing flooding problems or to improve water quality.

- C. The authority for the creation of the stormwater utility and the imposition of charges to finance sediment and stormwater activities is conferred in Chapter 14, Title 48, South Carolina Code. The application of a stormwater utility by means of a local ordinance or other means shall not be deemed a limitation or repeal of any other powers granted by State statute.
- D. The creation of a stormwater utility shall include the following components:
  - (1) The boundaries of the utility, such as watersheds or jurisdictional boundaries as identified by the local governing body,
  - (2) The creation of a management entity,
  - (3) Identification of stormwater problems,
  - (4) Method for determining utility charges,
  - (5) Procedures for investment and reinvestment of funds collected, and
  - (6) An appeals or petition process.
- E. As established by local ordinance or special election or petition, the local government shall have responsibility for implementing all aspects of the utility including long range planning, plan implementation, capital improvements, maintenance of stormwater facilities, determination of charges, billing, and hearing of appeals and petitions. The local government also will have responsibility for providing staff support for utility implementation.
- F. With the respect to new stormwater management facilities constructed by private developers, the local government shall develop criteria for use in determining whether these will be maintained by the utility or by the facility owner. Such criteria may include whether the facility has been designed primarily to serve residential users and whether it has been designed primarily for purposes of stormwater management. In situations where it is determined that public maintenance is not preferable, standards shall be developed to ensure that inspection of facilities occurs annually and that facilities are maintained as needed.
- G. The use of charges is limited to those purposes for which the utility has been established, including but not limited to: planning; acquisition of interests in land including easements; design and construction of facilities; maintenance of the stormwater system; billing and administration; and water quantity and water quality management, including monitoring, surveillance, private maintenance inspection, construction inspection, and other activities which are reasonably required.

#### **72-311. Plan Review and Inspector Certification Programs.**

- A. The Commission shall require that local governments which request delegation of stormwater management and sediment control plan review and approval/disapproval shall have a Certified Plan Reviewer representing the implementing agency. Certified Plan Reviewers shall obtain certification from the Commission by successfully completing a Commission sponsored or approved training program. Exceptions to this requirement are limited to Registered Professional Engineers, Registered Landscape Architects and Registered Tier B Land Surveyors who can receive initial certification by demonstrating to the Commission a minimum of three (3) years experience in stormwater management and sediment control planning and design.

For a period of one year after the effective date of these regulations, local governments may receive interim certification for plan reviewers during the period before attendance at a Commission sponsored or approved training course by submitting an enrollment form to the Commission. Interim certification shall be valid until the scheduled date of attendance.

- B. The Commission shall require that local governments which request delegation of the construction and maintenance inspection component of the stormwater management and sediment control program shall have a Certified Construction Inspector representing the implementing agency. Certified Construction Inspectors shall obtain certification from the Commission by successfully completing a Commission sponsored or approved training program.

For a period of one year after the effective date of these regulations, local governments may receive interim certification for construction inspectors during the period before attendance at a Commission sponsored or approved training course by submitting an enrollment form to the Commission. Interim certification shall be valid until the scheduled date of attendance.

- C. Initial certification as a Certified Plan Reviewer or Certified Construction Inspector is good for a period of five years. Recertification is contingent on attending and successfully completing a Commission sponsored or approved recertification program. This continuing education requirement applies to all Certified Plan Reviewers, including, Registered Engineers, Landscape Architects, Tier B Land Surveyors and Construction Inspectors.

#### **72-312. Review and Enforcement Requirements.**

- A. Items listed in this section are activities by the Commission in the event the Commission serves as the implementing agency. When the Commission is requested to assist the implementing agency, these are suggestions the Commission may submit to the implementing agency.
- B. The person responsible for the land disturbing activity shall notify the appropriate inspection agency before initiation of construction and upon project completion when a final inspection will be conducted to ensure compliance with the approved stormwater management and sediment control plan.
- C. The person responsible for the land disturbing activity shall, if required by the implementing agency during the plan approval process, submit "As Built or Record Document" plans. In addition, the person responsible for the land disturbing activity may be required to submit written certification from the professional engineer, landscape architect, or Tier B land surveyor responsible for the field supervision of the land disturbing activity that the land disturbing activity was accomplished according to the approved stormwater management and sediment control plan or approved changes.
- D. The responsible inspection agency shall, for inspection purposes, do all of the following items:
- (1) Ensure that the approved stormwater management and sediment control plans are on the project site and are complied with;
  - (2) Ensure that every active site is inspected for compliance with the approved plan on a regular basis;
  - (3) Provide the person responsible for the land disturbing activity, a written report after every inspection that describes:
    - (a) The date and location of the site inspection;
    - (b) Whether the approved plan has been properly implemented and maintained;
    - (c) Approved plan or practice deficiencies; and
    - (d) The action taken.
  - (4) Notification of the person responsible for the land disturbing activity in writing when violations are observed, describing the:
    - (a) Nature of the violation;
    - (b) Required corrective action; and
    - (c) Time period for violation correction.



- E. The Commission may investigate complaints or refer any complaint received to the local inspection agency if the activity is located in a jurisdiction that has received delegation of inspections during construction and maintenance inspections. In conjunction with a referral, the Commission may also initiate an on-site investigation after notification of the local inspection agency in order to properly evaluate the complaint. The Commission shall make recommendations on enforcement action when appropriate, and notify the local implementing agency in a timely manner of any recommendations.
- F. The Commission, at its discretion and upon notification to the person responsible for the land disturbing activity may visit any site to determine the adequacy of stormwater management and sediment control practices. In the event that the Commission conducts site inspection, the appropriate inspection agency shall be notified of the inspection. The appropriate inspection agency shall establish a time frame to obtain site compliance. This notification shall, in no way limit the right to the Commission to take action subsequent to any provision of these regulations or Chapter. Formal procedures for interaction between the Commission and the appropriate inspection agency on-site inspection and referral will be developed on an individual basis.
- G. The appropriate plan approval agency may require a revision to the approved plans as necessary due to differing site conditions. The appropriate plan approval agency shall establish guidelines to facilitate the processing of revised plans where field conditions necessitate plan modification. Where changes to the approved plan are necessary those changes shall be in accordance to the following:
  - (1) Major changes to approved stormwater management and sediment control plans, such as the addition or deletion of a sediment basin, shall be submitted by the applicant to the appropriate plan approval agency for review and approval.
  - (2) Minor changes to stormwater management and sediment control plans may be made in the field review report. The appropriate inspection agency shall develop a list of allowable field modifications for use by the construction inspector.
- H. Stormwater management construction shall have inspections accomplished as needed.
- I. The agency responsible for construction inspection may, in addition to local enforcement options, refer a site violation to the Commission for review.
- J. Referral of a site violation to the Commission may initiate a Commission construction inspection of the site to verify site conditions. That construction inspection may result in the following actions:
  - (1) Notification through appropriate means to the person engaged in a land disturbing activity to comply with the approved plan within a specified time frame; and
  - (2) Notification of plan inadequacy, with a time frame for the person engaged in a land disturbing activity to submit a revised sediment and stormwater plan to the appropriate plan approval agency and to receive its approval with respect thereto.The Commission shall notify the local inspection agency within five working days of what recommendation for enforcement action should be taken on the site.
- K. Failure of the person engaged in the land disturbing activity contractor to comply with Commission requirements may result in the following actions in addition to other penalties as provided in Chapter 14.
  - (1) The Commission shall have the power to request the implementing agency to order any person violating any provision of Chapter 14 and these regulations to cease and desist from any site work activity other than those actions necessary to achieve compliance with any administrative order.

- (2) The Commission may request that the appropriate plan approval agency refrain from issuing any further building or grading permits to the person having outstanding violations until those violations have been remedied.
  - (3) The Commission may recommend fines to be levied by the implementing agency.
- L. If the Commission or the implementing agency utilizes "stop work orders" as a part of its inspection and enforcement program, the following procedure shall be followed:
- (1) The implementing agency may issue a stop work order if it is found that a land disturbing activity is being conducted in violation of this Act or of any regulation adopted or order issued pursuant to this Act, that the violation is knowing and willful, and that either:
    - (a) Off-site sedimentation resulting from non-compliance with the approved stormwater management and sediment control plan has eliminated or severely degraded a use in a lake or natural waterway or that such degradation is imminent.
    - (b) Off-site sedimentation resulting from non-compliance with the approved stormwater management and sediment control plan has caused severe damage to adjacent land.
    - (c) The land disturbing activity which requires an approved plan under these regulations and is being conducted without the required approved plan.
  - (2) The stop work order shall be in writing and shall state what work is to be stopped and what measures are required to abate the violation. The order shall include a statement of the findings made by the implementing agency pursuant to (1) of this section and shall list the conditions under which work that has been stopped by the order may be resumed. The delivery of equipment and materials which does not contribute to the violation may continue while the stop work order is in effect. A copy of this section shall be attached to the order.
  - (3) The stop work order shall be served by the sheriff of the county in which the land disturbing activity is being conducted or by some other person duly authorized by law to serve process, and shall be served on the person at the site of the land disturbing activity who is in operational control of the land disturbing activity. The sheriff or other person duly authorized by law to serve process shall post a copy of the stop work order in a conspicuous place at the site of the land-disturbing activity. The implementing agency shall also deliver a copy of the stop work order to any person that the implementing agency has reason to believe may be responsible for the violation.
  - (4) The directives of a stop work order become effective upon service of the order. Thereafter, any person notified of the stop work order who violates any of the directives set out in the order may be assessed a civil penalty as provided in R.72-315. A stop work order issued pursuant to this section may be issued for a period not to exceed three calendar days.
  - (5) The implementing agency shall designate an employee to monitor compliance with the stop work order. The name of the employee so designated shall be included in the stop work order. The employee so designated shall rescind the stop work order if all the violations for which the stop work order are issued are corrected, no other violations have occurred, and all measures necessary to abate the violations have been taken. The implementing agency shall rescind a stop work order that is issued in error.
  - (6) The issuance of a stop work order shall be a final agency decision subject to judicial review in the same manner as an order in a contested case pursuant to Title 1, Chapter 23, Section 380 of the Code of Laws of South Carolina, 1976. The petition for judicial review shall be filed in the circuit court of the county in which the land-disturbing activity is being conducted.

- (7) The Commission shall file a cause of action to abate the violations which resulted in the issuance of a stop work order within three calendar days of the service of the stop work order. The cause of action shall include a motion for an ex parte temporary restraining order to abate the violation and to effect necessary remedial measures. The resident circuit court judge, or any judge assigned to hear the motion for the temporary restraining order, shall hear and determine the motion within two days of the filing of the complaint. The clerk of circuit court shall accept complaints filed pursuant to this section without the payment of filing fees. Filing fees shall be paid to the clerk of circuit court within 30 days of the filing of the complaint.

**72-313. Hearings and Hearing Procedures.**

- A. An administrative hearing is available, following a timely request, to determine the propriety of:
- (1) The denial of delegation of a program component.
  - (2) A revocation of a delegated program component.
  - (3) A denial or revocation of a permit for stormwater management and sediment control.
  - (4) A citizen complaint concerning program operation.
  - (5) The requirements imposed by the implementing agency for approval of the stormwater management and sediment reduction plan.
  - (6) The issuance of a notice of violation or non-compliance with the approved stormwater management and sediment reduction plan.
  - (7) The issuance of fines by an implementing agency.
  - (8) The issuance of a stop work order by an implementing agency.
- B. Requests for administrative hearings and appeals may be made to local governments when program elements are delegated by the Commission or to the Commission when the Commission functions as the implementing agency. In addition, administrative hearings and appeals may be held by the Commission regarding decisions or actions of local implementing agencies. Procedures for acting on appeals and conducting administrative hearings by local implementing agencies will be specified in their request for delegation of program element. The Commission procedures for conducting administrative hearings is specified in R.72-313C through R.72-313Q.
- C. A hearing may be requested by any person. If an adverse action is involved, the hearing may be requested provided that the written request is received within thirty (30) days after the notice is given to the person.
- D. All hearings shall be initiated via correspondence approved by the Commission which shall give notice to all parties of the hearing.
- (1) All parties must receive notice of the hearing of not less than thirty (30) days;
  - (2) The notice shall be sent by the designated hearing officer(s);
  - (3) The notice shall include:
    - (a) A statement of the time, place, and nature of the hearing;
    - (b) A statement of the legal authority and jurisdiction under which the hearing is to be held;
    - (c) A reference to the particular sections of the statutes and rules involved;
    - (d) A short and plain statement of the matters asserted. If the hearing officer(s) is/are unable to state the matters in detail at the time the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application, a more definite and detailed statement shall be furnished.

- E. All hearings shall be conducted by a hearing officer(s) appointed by the Commission.
- F. All hearings shall be conducted in accordance with Section 1-23-10 et. seq. of the 1976 South Carolina Code of Laws.
- G. The hearing officer(s) shall issue a proposal for decision which shall be mailed to the parties.
- H. Within twenty (20) days after mailing of the proposal for decision, any party may file exceptions to the hearing officer's proposal for decision.
  - (1) Such exceptions shall be in written form, addressed to the Chairman of the Commission, and served upon all adverse parties;
  - (2) The exceptions shall list all the grounds upon which the exceptions are based.
- I. If no exceptions are received by the Commission within the twenty (20) day period following the mailing of the proposal for decision, the Commission shall issue a final decision.
- J. If timely exceptions are received, the Commission shall send notice to the parties that the appealing party(s) has thirty (30) days to submit a brief. Following the service of the appealing party's brief, or upon the expiration of the thirty (30) day period, whichever shall occur first, the other party shall have thirty (30) days to submit a brief. All briefs must be served on the opposing parties and filed with the Commission.
- K. Following receipt of all briefs, the Commission shall schedule an oral argument if requested to do so by either party.
- L. The request for an oral argument must be in writing, addressed to the Chairman of the Commission, and submitted with that party's brief.
- M. The oral argument shall be scheduled for the next regular Commission meeting following the filing of the last brief.
- N. The oral argument shall be heard by the members of the Commission present at the Commission meeting and shall be held in accordance with the following format:
  - (1) The appealing party shall be given twenty minutes to present his case;
  - (2) The opposing party shall be given twenty minutes to present his case;
  - (3) The appealing party shall be given a rebuttal period of five minutes.
- O. The parties by written stipulation may agree that the hearing officer's decision shall be final and binding upon the parties.
- P. The final order shall be issued by the Commission, and the decision of the Commission shall represent the view of a majority of the Commission members voting on the appeal.
- Q. The final order shall be written and shall comply with the provisions of Section 1-23-10 et. seq. of the 1976 South Carolina Code of Laws.

**72-314. Citizen Complaint Procedure on Delegated Program Components and Individual Sites.**

- A. Persons may become aggrieved by land disturbing activities and program implementation. The following describes the procedure for a person to complain concerning program operation:
  - (1) If the program component in question has been delegated to a local implementing agency, the complaint shall be registered first in writing with that agency. An attempt to resolve the problem shall be made with the local implementing agency.
  - (2) In the event a solution can not be reached, the citizen may forward the complaint to the Commission for review. The Commission shall attempt to resolve the problem with the implementing agency and notify the citizen of the outcome of these efforts.
  - (3) If the Commission determines, based on complaints indicating a continuing pattern, that implementation of delegated program elements falls below the acceptable standards established

by these regulations, the Commission may suspend or revoke the delegation in accordance with R.72-304L.

- (4) All complaints filed with the Commission shall be held for a period of three years and will be considered when delegation renewal is requested by the local government.

B. Persons may complain about individual site problems or damages. The procedure is as follows:

- (1) The complaint will be registered in writing with the appropriate implementing agency.
- (2) If the implementing agency is not the Commission and a solution can not be reached with the local implementing agency, the complaint should be filed with the Commission. The Commission will follow procedures listed in R.72-312E.

#### **72-315. Penalties.**

- A. Any person who violates any provision of this chapter or any ordinance or regulation promulgated, enacted, adopted, or issued pursuant to this chapter by the Commission or other implementing agency, or who initiates or continues a land disturbing activity for which a stormwater management and sediment control plan is required except in accordance with the terms, conditions, and provisions of an approved plan, is subject to a civil penalty of not more than one thousand dollars. No penalty may be assessed until the person alleged to be in violation has been notified of the violation. Each day of a violation constitutes a separate violation.
- B. The implementing agency shall determine the amount of the civil penalty to be assessed under this section for violations under its jurisdiction. It shall make written demand for payment upon the person responsible for the violation and set forth in detail the violation for which the penalty has been invoked. If payment is not received or equitable settlement reached within thirty days after demand for payment is made, a civil action may be filed in the circuit court in the county in which the violation is alleged to have occurred to recover the amount of the penalty. If the implementing agency is the commission, the action must be brought in the name of the State. Local governments shall refer the matters under their jurisdiction to their respective attorneys for the institution of a civil action in the name of the local government in the circuit court in the county in which the violation is alleged to have occurred for recovery of the penalty.

#### **72-316. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of these regulations are for any reason held invalid or unconstitutional by any court or competent jurisdiction, such provision and such holding shall not affect the validity of the remaining portions of these regulations.

#### **Fiscal Impact Statement:**

The South Carolina Land Resources Commission estimates that two additional staff engineers will be required to operate the program.

**APPENDIX B**

**COASTAL ZONE MANAGEMENT PROGRAM**

**REFINEMENTS FOR STORMWATER MANAGEMENT**

## **Chapter III Management of Coastal Resources**

### **C. Uses of Management Concern**

#### **3. Resource Policies**

##### **XIII. Stormwater Management Guidelines (Page III-74)**

Most land disturbing activities in South Carolina must comply with the requirements and applicable regulations of the Erosion and Sediment Reduction Act of 1983 (48-18-10, et. seq.), or the Stormwater Management and Sediment Reduction Act of 1991 (48-14-10, et. seq.). The final regulations, effective on June 26, 1992, pursuant to the Stormwater Management and Sediment Reduction Act of 1991, establish the procedure and minimum standards for a statewide stormwater program. Section R.72-304F of the regulations states that "the S.C. Coastal Council (now known as the Office of Ocean and Coastal Resource Management (OCRM)), in coordination with the Commission, will serve as the implementing agency for these regulations in the jurisdictions of the local governments which do not seek delegation of program elements in the counties of Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry and Jasper." In addition, Section R.72-307C(5)(g) states that "For activities in the eight coastal counties, additional water quality requirements may be imposed to comply with the S.C. Coastal Council (OCRM) Stormwater Management Guidelines. If conflicting requirements exist for activities in the eight coastal counties, the S.C. Coastal Council (OCRM) guidelines will apply."

Pursuant to the Coastal Zone Management Act, the Coastal Council (OCRM) is responsible for protecting the environmentally sensitive areas of our coast. While the regulations of the Stormwater Management and Sediment Reduction Act adequately address most nonpoint source pollution problems, the need exists for establishing additional criteria to protect sensitive coastal waters.

#### **A. Stormwater Runoff Storage Requirements**

The regulations of the Stormwater Management and Sediment Reduction Act require that "permanent water quality ponds having a permanent pool shall be designed to store and release the first 1/2 inch of runoff from the site over a 24-hour period. The storage volume shall be designed to accommodate, at least, 1/2 inch of runoff from the entire site." For all projects, regardless of size, which are located within one-half (1/2) mile of a receiving water body in the coastal zone, this criteria shall be storage of the first 1/2 inch of runoff from the entire site or storage of the first one (1) inch of runoff from the built-upon portion of the property, whichever is greater. Storage may be accomplished through retention, detention or infiltration systems, as appropriate for the specific site. In addition, for those projects which are located within 1,000 (one thousand) feet of shellfish beds, the first one and one half (1 1/2) inches of runoff from the built-upon portion of the property must be retained on site.

Receiving water bodies include all regularly tidally influenced salt and freshwater marsh areas, all lakes or ponds which are used primarily for public recreation or a public drinking water supply, and other water bodies within the coastal zone, excluding wetlands, swamps, ditches and stormwater management ponds which are not contiguous via an outfall or similar structure with a tidal water body.

## **B. Project Size Requiring Stormwater Management Permits**

Section R.72-305B(1) states that "for land disturbing activities involving two (2) acres or less of actual land disturbance which are not part of a larger common plan of development or sale, the person responsible for the land disturbing activity shall submit a simplified stormwater management and sediment control plan meeting the requirements of R.72-307H. This plan does not require preparation or certification by the designers specified in R.72-305H and R.72-305I." Due to the potentially damaging effect of certain projects of less than two (2) acres of land disturbance, stormwater management and sediment reduction plan submittal and regulatory approval shall be required for those smaller projects located within 1/2 mile of a receiving water body. Single family homes that are not part of a subdivision development are exempt from this requirement.

## **C. Stormwater Management Requirements for Bridge Runoff**

The following is the criteria used to address stormwater management for bridges traversing saltwater and/or critical areas.

- 1) No treatment is necessary for runoff from bridge surfaces spanning SB or SA waters. This runoff can be discharged through scupper drains directly into surface waters. However, the use of scupper drains should be limited as much as feasibly possible.
- 2) If the receiving water is either ORW or SFH then the stormwater management requirements shall be based on projected traffic volumes and the presence of any nearby shellfish beds. The following matrix lists the necessary treatment practices over the different classes of receiving waters.
- 3) The Average Daily Traffic Volume (ADT) is based upon the design carrying capacity of the bridge.



## Average Daily Traffic Volume (ADT)

		0-30,000	G.T. 30,000
Water	ORW (within 1000 ft of shellfish beds)	***	***
	ORW (not within 1000 ft of shellfish beds)	**	**
	SFH (within 1000 ft of shellfish beds)	**	***
Quality	SFH (not within 1000 ft of shellfish beds)	**	**
Class.	SA	*	*
	SB	*	*

\*\*\* The first one (1) inch of runoff from the bridge surface must be collected and routed to an appropriate stormwater management system or routed so that maximum overland flow occurs encouraging exfiltration before reaching the receiving body. Periodic vacuuming of the bridge surface should be considered.

\*\* A stormwater management plan must be implemented which may require the overtreatment of runoff from associated roadways to compensate for the lack of direct treatment of runoff from the bridge surface itself. Periodic vacuuming should be considered. The use of scupper drains should be limited as much as feasibly possible.

\* No treatment is required. The use of scupper drains should be limited as much as feasibly possible.

### D. Golf Courses Adjacent to Receiving Waterbodies

Golf course construction and maintenance practices result in the potential for significant negative impacts from the runoff of sediments, pesticides, herbicides and other pollutants. For this reason, when golf courses are constructed adjacent to receiving waterbodies then the following practices are to be incorporated.

- 1) Minimum setbacks from the receiving water body of 20 feet for all manicured portions of the golf course (fairways, greens and tees) are required unless other acceptable management techniques are approved and implemented to mitigate any adverse impacts.
- 2) All drainage from greens and tees must be routed to interior lagoons or an equivalent stormwater management system.
- 3) To prevent the conversion of the stormwater system to critical area and to maintain positive drainage at high tides, all outfalls from the lagoon system must be located at an elevation above the critical area (if the discharge is to critical area) AND above the normal water elevation a distance to allow for storage of the first one inch of runoff. The volume which must be stored shall be calculated by multiplying the area of all the greens and tees by one inch. (Previously constructed stormwater management systems which meet all current and future storage requirements will not be required to modify outfalls.)

- 4) No greens or tees shall be located on marsh hummocks or islands unless all drainage can be conveyed to the interior lagoon system or to an equivalent onsite stormwater management system.
- 5) Stormwater impacts to freshwater wetlands shall be limited by providing minimum 20 foot buffers, or an accepted alternative, between manicured areas (fairways, greens and tees) and the wetlands. This minimum buffer must be increased if land application of treated effluent is utilized in the area.
- 6) An integrated pest management system designed in accordance with current best technology practices must be employed on the course to limit the application of chemicals which, if over applied, may leach into the ground and adjacent surface waters.
- 7) In accordance with S.C. Department of Health and Environmental Control requirements, a two (2) foot separation must be maintained between the surface of the golf course and the ground water table where spray effluent is applied.
- 8) The normal ground water elevation must be established by a registered engineer or soil scientist.
- 9) All projects which are within 1000 feet of shellfish beds must retain the first 1 1/2 inches of runoff as otherwise described in item A above.
- 10) If spray effluent or chemicals are applied to the turf via the irrigation system, all spray heads must be located and set so as to prevent any aerosols from reaching adjacent critical areas.

#### **E. Mines and Landfills**

Due to the significant amount of land disturbance involved in the construction of mines and landfills, these types of operations need to strictly adhere to sediment/erosion control requirements particularly when they are located near coastal waterways. When mining or landfill projects are located within 1/2 mile of receiving waterbodies, pumping of ground water from sediment basins must be done with floating intakes only. Pumping of these basins must cease whenever the water levels come to within two (2) feet of the pond bottom. In addition, landfill planning must be designed on a comprehensive site basis for stormwater management and sediment/erosion control to include management practices for each separate cell as it is phased into the landfill.

#### **F. Notice of Approval**

All notice of approval must be in written form.

**APPENDIX C**

**NPDES GENERAL PERMIT FOR STORMWATER  
DISCHARGES FROM CONSTRUCTION ACTIVITIES**

**SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**NPDES GENERAL PERMIT**

**for**

**STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES  
THAT ARE CLASSIFIED AS "ASSOCIATED WITH INDUSTRIAL ACTIVITY"  
BY EPA REGULATION**

**This permit authorizes storm water discharges to waters of the State South Carolina in accordance with the monitoring requirements and other conditions set forth in Parts I through IX hereof. This permit is issued in accordance with the provisions of the Pollution Control Act (S.C. Code Sections 48-1-10 *et seq.*, 1976) and with the provisions of the Federal Clean Water Act (PL 92-500), as amended, 33 U.S.C. 1251 *et seq.*, the "CWA."**

---

**Director, Industrial and Agricultural Wastewater Division  
Bureau of Water Pollution Control**

**Issued:            September 11, 1992   Expires:   September 30, 1997**

**Effective:        October 1, 1992**

**Permit No.: SCR100000**

## TABLE OF CONTENTS

Part I.	COVERAGE UNDER THIS PERMIT.....	4
A.	Permit Area.....	4
B.	Eligibility.....	4
C.	Authorization.....	5
Part II.	NOTICE OF INTENT REQUIREMENTS.....	6
A.	Deadlines for Notification.....	6
B.	Contents of Notice of Intent.....	6
C.	Where to Submit.....	7
D.	Renotification.....	7
Part III.	SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER NON-NUMERIC LIMITATIONS.....	7
A.	Prohibition on non-storm water discharges.....	7
B.	Releases in excess of Reportable Quantities.....	7
Part IV.	STORM WATER POLLUTION PREVENTION PLANS.....	8
A.	Deadlines for Plan Preparation and Compliance.....	8
B.	Signature and Plan Review.....	8
C.	Keeping Plans Current.....	9
D.	Contents of Plan.....	9
E.	Contractors.....	12
Part V.	RETENTION OF RECORDS.....	12
Part VI.	STANDARD PERMIT CONDITIONS.....	12
A.	Duty to Comply.....	12
B.	Continuation of the Expired General Permit.....	13
C.	Need to halt or reduce activity not a defense.....	13
D.	Duty to Mitigate.....	13
E.	Duty to Provide Information.....	13
F.	Other Information.....	13
G.	Signatory Requirements.....	13
H.	False Statements, Representations or Certifications Falsifying Tampering with or rendering Inaccurate.....	14
	Monitoring Devices or Methods.....	14
I.	Oil and Hazardous Substance Liability.....	14
J.	Property Rights.....	14
K.	Severability.....	14
L.	Requiring an individual permit or an alternative general permit.....	14
M.	State/Environmental Laws.....	15
N.	Proper Operation and Maintenance.....	15
O.	Inspection and Entry.....	15
P.	Permit Actions.....	16
Q.	Areawide Water Quality Management Plan Conformance.....	16
Part VII.	REOPENER CLAUSE.....	16
Part VIII.	TERMINATION OF COVERAGE.....	16
A.	Notice of Termination.....	16
B.	Addresses.....	17
Part IX.	DEFINITIONS.....	17

## **PREFACE**

The CWA provides that storm water discharges associated with industrial activity from a point source (including discharges through a municipal separate storm sewer system) to waters of the United States are unlawful, unless authorized by a National Pollutant Discharge Elimination System (NPDES) permit. The terms "storm water discharge associated with industrial activity", "point source" and "waters of the United States" are critical to determining whether a facility is subject to this requirement. Complete definitions of these terms are found in the definition section (Part IX) of this permit.

## **Part I. COVERAGE UNDER THIS PERMIT**

A. **Permit Area.** The permit covers all areas of South Carolina.

B. **Eligibility.**

1. This permit may authorize all discharges of storm water associated with industrial activity from construction sites, (by present EPA regulation this is sites or common plans of development or sale that will result in the disturbance of five or more acres total land area, however this may be reduced to less than five acres<sup>1</sup>), (henceforth referred to as storm water discharges from construction activities) occurring after the effective date of this permit (including discharges occurring after the effective date of this permit where the construction activity was initiated before the effective date of this permit), except for discharges identified under paragraph I.B.3.
2. This permit may only authorize a storm water discharge associated with industrial activity from a construction site that is mixed with a storm water discharge from an industrial source other than construction, where:
  - a. the industrial source other than construction is located on the same site as the construction activity;
  - b. storm water discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
  - c. storm water discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring (including storm water discharges from dedicated asphalt plants and dedicated concrete plants) are covered by a different NPDES general permit or individual permit authorizing such discharges.
3. **Limitations on Coverage.** The following storm water discharges from construction sites are not authorized by this permit:
  - a. storm water discharges associated with industrial activity that originate from the site after construction activities have been completed and the site has undergone final stabilization.
  - b. discharges that are mixed with sources of non-storm water other than discharges which are identified in Part III.A of this permit and which are in compliance with Part IV.D.5 (non-storm water discharges) of this permit.
  - c. storm water discharges associated with industrial activity that are subject to an existing NPDES individual or general permit or which are issued a permit in accordance with paragraph VI.L (requiring an individual permit or an alternative general permit) of this permit. Such discharges may be authorized under this permit after an existing permit expires provided the existing permit did not establish numeric limitations for such discharges;

---

<sup>1</sup> On June 4, 1992, the United States Court of Appeals for the Ninth Circuit remanded the exemption for construction sites of less than five acres to the EPA for further rulemaking. (Nos. 90-70671 and 91-70200). When this issue is resolved, this permit will be administratively modified without further public notice to be in compliance with the final EPA regulation.

- d. storm water discharges from construction sites that the Department has determined to be or may reasonably be expected to be contributing to a violation of a water quality standard; and
- e. storm water discharges from construction sites if the discharge or the clearing activities are likely to adversely effect a listed endangered or threatened species or its critical habitat.

C. **Authorization.**

1. A discharger must submit a Notice of Intent (NOI) in accordance with the requirements of Part II of this permit, using a NOI form provided by the Department (or a photocopy thereof), in order for storm water discharges from construction sites to be authorized to discharge under this general permit.
2. All contractors and subcontractors of the owner/operator whose activities at the site may impact storm water discharges or controls at the site along the duration of the project, shall sign a copy of the certification statement given below:

"I certify by my signature below that I accept the terms and conditions of the Storm Water Pollution Prevention Plan (SWPPP) as required by the general National Pollutant Discharge Elimination System (NPDES permit number SCR100000) issued to the owner/operator of the construction activity for which I have been contracted to perform construction related professional services. Further, by my signature below, I understand that I am becoming a co-permittee with the owner/operator and other contractors that have become co-permittees to the general NPDES permit issued to the owner/operator of the facility for which I have been contracted to perform professional construction services. As a co-permittee, I understand that I, and my company, as the case may be, are legally accountable to the SC Department of Health and Environmental Control (DHEC), under the authorities of the CWA and the SC Pollution Control Act, to ensure compliance with the terms and conditions of the SWPPP. I also understand that DHEC enforcement actions may be taken against any specific co-permittee or combination of co-permittees if the terms and conditions of the SWPPP are not met. Therefore, having understood the above information, I am signing this certification and am receiving co-permittee status to the aforementioned general NPDES permit." The date of the signature, the title of the person providing the signature, and the name, address, and telephone number of the contracted firm, shall also be provided. In the event the SWPPP is amended by the owner, such amendments should be incorporated to the plan and the contractors and subcontractors should acknowledge by signature.

The signatory requirements of 40 CFR 122.22, as provided in Part VI.G of this permit are applicable to each contracted entity that must sign the contractor's certification statement. Upon signing the certification, the contractor is a co-permittee and becomes accountable to the Department to ensure the terms and conditions of this permit are implemented. All co-permittees are subject to Department enforcement actions if permit conditions are not met. Enforcement actions may be taken against any specific co-permittee or combination of co-permittees, with consideration given to the party responsible for the violation. The owner/operator submitting the NOI shall retain all contractor certifications for at least three years after a contractor has completed work at the site. Copies of all contractor certifications and a copy of this permit shall be retained on the site of the construction activity. The owner/operator of the facility covered by this permit shall make all contractor certifications available upon request to the Department.

3. Unless notified by the Department to the contrary, dischargers who submit an NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction sites under the terms and conditions of this permit 48 hours after the date that the NOI is postmarked. The Department may deny coverage under this permit and require submittal of an application for an individual NPDES permit based on a review of the NOI or other information (see Part VI.L of this permit). This denial can be made at any time after the submittal of the NOI and does not have to be made within 48 hours after the date the NOI is postmarked.



## **Part II. NOTICE OF INTENT REQUIREMENTS**

### **A. Deadlines for Notification.**

1. Except as provided in paragraphs II.A.2, II.A.3, and II.A.4, individuals who intend to obtain coverage for storm water discharges from a construction site (where disturbances associated with the construction project begin after October 1, 1992), under this general permit shall submit a Notice of Intent (NOI) in accordance with the requirements of this Part at least 48 hours prior to the commencement of construction at any site or common plan of development or sale that will result in the disturbance of five or more acres total land area (NOTE: see footnote 1 in Part I.B.1);
2. For storm water discharges from a construction site where disturbances associated with construction activities have occurred before or on October 1, 1992 and continued after that date, NOIs in accordance with the requirements of this Part shall be submitted on or before October 1, 1992;
3. For storm water discharges from construction sites where the owner/operator changes, a new NOI in accordance with the requirements of this Part shall be submitted at least 48 hours prior to when the new owner/operator begins work at the site; and
4. A discharger is not precluded from submitting an NOI in accordance with the requirements of this part after the dates provided in Parts II.A.1, 2 or 3 of this permit. In such instances, the Department may bring an enforcement action for failure to submit an NOI in a timely manner or for any unauthorized discharges of storm water associated with industrial activity that have occurred on or after the dates specified in Part II.A.1, 2 and 3.

### **B. Contents of Notice of Intent.** The Notice of Intent shall be signed in accordance with Part VI.G of this permit by all of the entities identified in Part II.B.3 and shall include the following information:

1. The mailing address, and location of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location can be described in terms of the latitude and longitude of the approximate center of the facility to the nearest 15 seconds that the construction site is located in;
2. The owner's name, address, telephone number, and status as Federal, State, private, public or other entity.
3. The name, address and telephone number of the operators with day to day operational control that have been identified at the time of the NOI submittal;
4. The name of the receiving water(s), or if the discharge is through a municipal separate storm sewer, the name of the municipal operator of the storm sewer and the ultimate receiving water(s);
5. The number of any NPDES permit for any discharge (including non-storm water discharges) from the site that is currently authorized by an NPDES permit.
6. An indication of whether the owner or operator has existing quantitative data which describes the concentration of pollutants in storm water discharges (existing data should not be included as part of the NOI); and
7. An estimate of project start date and completion date, estimates of the number of acres of the site on which soil will be disturbed, and a certification that a storm water pollution prevention plan has been prepared for the facility in accordance with Part IV of this permit, and such plan, as a part of the construction documents, provides compliance with any state or local sediment and erosion plans or permits.  
(A copy of the plans or permits should not be included with the NOI submission).

C. **Where to Submit.**

1. Facilities which discharge storm water associated with industrial activity must use a NOI form provided by the Department (or photocopy thereof). Forms are available by calling (803) 734-5300. NOIs must be signed in accordance with Part VI.G of this permit. NOIs are to be submitted to the Department at the following address:

SC Department of Health and Environmental Control  
NPDES/ND Permit Administration  
Storm Water Notice of Intent for Construction  
2600 Bull Street  
Columbia, S. C. 29201

2. A copy of the NOI or other indication that storm water discharges from the site are covered under an NPDES permit, and a brief description of the project shall be posted at the construction site in a prominent place for public viewing (such as alongside a building permit).
- D. **Renotification.** Upon issuance of a new general permit, the permittee is required to notify the Department of his or her intent to be covered by the new general permit.

**Part III. SPECIAL CONDITIONS, MANAGEMENT PRACTICES, AND OTHER  
NON-NUMERIC LIMITATIONS**

A. **Prohibition on non-storm water discharges.**

1. Except as provided in paragraph I.B.2 and III.A.2, all discharges covered by this permit shall be composed entirely of storm water.
2. a. Except as provided in paragraph III.A.2.b, discharges of material other than storm water must be in compliance with a NPDES permit (other than this permit) issued for the discharge.

b. The following non-storm water discharges may be authorized by this permit provided the non-storm water component of the discharge is in compliance with paragraph IV.D.3.g: discharges from fire fighting activities; fire hydrant flushings; waters used to wash vehicles or control dust in accordance with Part IV.D.2.c.(2); potable water sources including waterline flushings; irrigation drainage; routine external building

washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

B. **Releases in excess of Reportable Quantities.**

1. The discharge of hazardous substances or oil in the storm water discharge(s) from a facility shall be prevented or minimized in accordance with the applicable storm water pollution prevention plan for the facility. This permit does not relieve the permittee of the reporting requirements of 40 CFR part 117 and 40 CFR part 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:

a. The permittee is required to notify by telephone both the Department's Emergency Response Section at (803) 253-6488 and the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR 117 and 40 CFR 302 as soon as he or she has knowledge of the discharge;

b. The permittee shall submit within 14 calendar days of knowledge of the release a written description of: the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and steps to be taken in accordance with Part III.B.3 of this permit to both EPA Region IV, 345 Courtland Street, N.E., Atlanta, Ga. 30365 and the SC Department of Health and Environmental Control, Emergency Response Section, 2600 Bull Street Columbia, S.C. 29201; and

c. The storm water pollution prevention plan required under Part IV of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

2. **Spills.** This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

#### **Part IV. STORM WATER POLLUTION PREVENTION PLANS**

A storm water pollution prevention plan shall be developed for each construction site covered by this permit. Storm water pollution prevention plans shall be prepared in accordance with good engineering practices. The plan shall identify potential sources of pollution which may reasonably be expected to affect the quality of storm water discharges from the construction site. In addition, the plan shall describe and ensure the implementation of practices which will be used to reduce the pollutants in storm water discharges associated with industrial activity at the construction site and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the storm water pollution prevention plan required under this part as a condition of this permit.

##### **A. Deadlines for Plan Preparation and Compliance.**

The plan shall:

1. Be completed prior to the submittal of an NOI to be covered under this permit and updated as appropriate;
2. For construction activities that have begun on or before October 1, 1992, the plan shall provide for compliance with the terms and schedule of the plan beginning on October 1, 1992;
3. For construction activities that have begun after October 1, 1992, the plan shall provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

##### **B. Signature and Plan Review**

1. The plan shall be signed in accordance with Part VI.G, and be retained on-site at the facility which generates the storm water discharge in accordance with Part V (retention of records) of this permit. Whenever this could not possibly be accomplished, the location of the plan should be determined. Such determination should be included in the plan.
2. The permittee shall make plans available to the Department upon request or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system.
3. The Department may notify the permittee at any time that the plan does not meet one or more of the minimum requirements of this Part. Within 7 days of such notification from the Department, (or as otherwise provided by the Department), the permittee shall make the required changes to the plan and shall submit to the Department a written certification that the requested changes have been made.

- C. **Keeping Plans Current.** The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of South Carolina and which has not otherwise been addressed in the plan or if the storm water pollution prevention plan proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part IV.D.2 of this permit, or in otherwise achieving the general objectives of controlling pollutants in storm water discharges associated with industrial activity. Amendments to the plan may be reviewed by the Department in the same manner as Part IV.B above. Plan records should be updated periodically to reflect the certification that new contractors and subcontractors have signed.
- D. **Contents of Plan.** The storm water pollution prevention plan shall include the following items:
1. **Site Description.** Each plan shall, provide a description of pollutant sources and other information as indicated:
    - a. A description of the nature of the construction activity;
    - b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g. grubbing, excavation, grading);
    - c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other activities;
    - d. An estimate of the runoff coefficient of the site after construction activities are completed and existing data describing the soil or the quality of any discharge from the site;
    - e. A site map indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters (including wetlands), and locations where storm water is discharged to surface waters; and
    - f. The name of the receiving water(s) and the ultimate receiving water(s), and areal extent of wetland acreage at the site.
  2. **Controls.** Each plan shall include a description of appropriate controls and measures that will be implemented at the construction site. The plan will clearly describe for each major activity identified in Part IV.D.1.b appropriate control measures and the timing during the construction process that the measures will be implemented. (For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls will be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls will be removed after final stabilization). The description and implementation of controls shall address the following minimum components:
    - a. **Erosion and Sediment Controls.**
      - (1). **Stabilization Practices.** A description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation, and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated shall be included in the plan. Except as provided in paragraphs IV.D.2.(a).(1).(a), and (b) below, stabilization measures shall

be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased.

(a). Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is precluded by snow cover, stabilization measures shall be initiated as soon as practicable.

(b). Where construction activity will resume on a portion of the site within 21 days from when activities ceased, (e.g. the total time period that construction activity is temporarily ceased is less than 21 days) then stabilization measures do not have to be initiated on that portion of site by the 14th day after construction activity temporarily ceased.

(2). **Structural Practices.** A description of structural practices to divert flows from exposed soils, store flows or otherwise limit runoff and the discharge of pollutants from exposed areas of the site to the degree attainable. Such practices may include silt fences, earth dikes, drainage swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins. Structural practices should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA.

(a) For common drainage locations that serve an area with 10 or more disturbed acres at one time, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. The 3,600 cubic feet of storage area per acre drained does not apply to flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around the sediment basin. For drainage locations which serve 10 or more disturbed acres at one time and where a temporary sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent controls is not attainable smaller sediment traps and/or sediment basins should be used. At a minimum, silt fences, or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area.

(b) For drainage locations serving less than 10 acres, sediment basins and/or sediment traps, silt fences or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area unless a sediment basin providing storage for 3,600 cubic feet of storage per acre drained is provided.

b. **Storm Water Management.** A description of measures that will be installed during the construction process to control pollutants in storm water discharges that will occur after construction operations have been completed. Structural measures should be placed on upland soils to the degree attainable. The installation of these devices may be subject to Section 404 of the CWA. This permit only addresses the installation of storm water management measures, and not the ultimate operation and maintenance of such structures after the construction activities have been completed and the site has undergone final stabilization.

Permittees are only responsible for the installation and maintenance of storm water management measures prior to final stabilization of the site, and are not responsible for maintenance after storm water discharges associated with industrial activity have been eliminated from the site.

(1). Such practices may include: storm water detention structures (including wet ponds); storm water retention structures; flow attenuation by use of open vegetated swales and natural depressions; infiltration of runoff onsite; and sequential systems (which combine several practices). The Storm Water Pollution Prevention Plan shall include an explanation of the technical basis used to select the practices to control pollution where flows exceed predevelopment levels.

(2). Velocity dissipation devices shall be placed at discharge locations and along the length of any outfall channel as necessary to provide a non-erosive velocity flow from the structure to a water course so that the natural physical and biological characteristics and functions are maintained and protected (e.g. no significant changes in the hydrological regime of the receiving water).

**c. Other Controls.**

- (1). **Waste Disposal.** No solid materials, including building materials, shall be discharged to waters of South Carolina, except as authorized by a Section 404 permit.
- (2). Off-site vehicle tracking of sediments and the generation of dust shall be minimized.
- (3). The plan shall ensure and demonstrate compliance with applicable State and/or local waste disposal, sanitary sewer or septic system regulations.

**d. Approved State or Local Plans.**

- (1). Permittees which discharge storm water associated with industrial activity from construction activities must include in their storm water pollution prevention plan procedures and requirements specified in applicable sediment and erosion site plans or site permits, or storm water management site plans or site permits approved by State or local officials. Permittees shall provide a certification in their storm water pollution prevention plan that their storm water prevention plan reflects requirements applicable to protecting surface water resources in sediment and erosion site plans or site permits approved by State or local officials. Permittee shall comply with any such requirements during the term of the permit. This provision does not apply to provisions of master plans, comprehensive plans, non-enforceable guidelines or technical guidance documents that are not identified in a specific plan or permit that is issued for the construction site.
  - (2). Storm water pollution prevention plans must be amended to reflect any change applicable to protecting surface water resources in sediment and erosion site plans or site permits, or storm water management site plan or site permits approved by State or local officials for which the permittee receives written notice. Where the permittee receives such written notice of a change, the permittee shall provide a recertification in the storm water pollution plan that the storm water pollution prevention plan has been modified to address such changes.
3. **Maintenance.** A description of procedures to ensure the timely maintenance of vegetation, erosion and sediment control measures and other protective measures identified in the site plan in good and effective operating condition.
  4. **Inspections.** Qualified personnel (provided by the discharger) shall inspect disturbed areas of the construction site and areas used for storage of materials that are exposed to precipitation that have not been finally stabilized, structural control measures, and locations where vehicles enter or exit the site at least once every seven calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater. Where sites have been finally stabilized such inspection shall be conducted at least once every month.
    - a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the drainage system. Erosion and sediment control measures identified in the plan shall be observed to ensure that they are operating correctly. Where discharge locations or points are accessible, they shall be inspected to ascertain whether erosion control measures are effective in preventing significant impacts to receiving waters. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.
    - b. Based on the results of the inspection, the site description identified in the plan in accordance with paragraph IV.D.1 of this permit and pollution prevention measures identified in the plan in accordance with paragraph IV.D.2 of this permit shall be revised as appropriate, but in no case later than 7 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.
    - c. A report summarizing the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, major observations relating to the implementation of the storm water pollution prevention plan, and actions taken in accordance with paragraph IV.D.4.b of the permit shall

be made and retained as part of the storm water pollution prevention plan for at least three years from the date that the site is finally stabilized. Such reports shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the storm water pollution prevention plan and this permit. The report shall be signed in accordance with Part VI.G of this permit.

5. **Non-Storm Water Discharges** - Except for flows from fire fighting activities, sources of non-storm water listed in Part III.A.2 of this permit that are combined with storm water discharges associated with industrial activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention measures for the non-storm water component(s) of the discharge.

E. **Contractors**

1. The storm water pollution prevention plan must clearly identify for each measure identified in the plan, the contractor(s) and/or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in Part I.C.2 of this permit in accordance with Part VI.G of this permit. All certifications must be included in the storm water pollution prevention plan.

**Part V. RETENTION OF RECORDS**

- A. The permittee shall retain copies of storm water pollution prevention plans and all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the site is finally stabilized. This period may be extended by request of the Department at any time.
- B. If at all possible, the permittee shall retain a copy of the storm water pollution prevention required by this permit at the construction site from the date of project initiation to the date of final stabilization. If not possible, then, a place to keep the SWPPP must be designated in the plan itself.
- C. **Addresses.** All written correspondence under this permit shall be directed to the Department at the following address:

SC Department of Health and Environmental Control  
NPDES/ND Permit Administration  
Storm Water Permitting  
2600 Bull Street  
Columbia, SC 29201

**Part VI. STANDARD PERMIT CONDITIONS**

- A. **Duty to Comply.**
  1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the S.C. Pollution Control Act and the CWA and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.
  2. **Penalties for Violations of Permit Conditions.**
    - a. Any person who violates a term or condition contained within this permit is subject to the action defined by Sections 48-1-320 and 48-1-330 of the S.C. Pollution Control Act.

b. Nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for non-compliance.

**B. Continuation of the Expired General Permit.**

This permit expires on September 30, 1997. However, an expired general permit continues in force and effect until a new general permit is issued. Permittees must submit a new NOI in accordance with the requirements of Part II of this permit, using a NOI form provided by the Department (or photocopy thereof) between August 1, 1997 and September 28, 1997 to remain covered under the continued permit after October 1, 1997. Facilities that had not obtained coverage under the permit by October 1, 1997 cannot become authorized to discharge under the continued permit.

**C. Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

**D. Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

**E. Duty to Provide Information.** The permittee shall furnish to the Department or in the case of a storm water discharge associated with industrial activity which discharges through a municipal separate storm sewer system with an NPDES permit, to the municipal operator of the system, any information which is requested to determine compliance with this permit or other information.

**F. Other Information.** When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the Notice of Intent or in any other report to the Department, he or she shall promptly submit such facts or information.

**G. Signatory Requirements.** All Notices of Intent, storm water pollution prevention plans, reports, certifications or information either submitted to the Department or the operator of a large or medium municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed as follows:

1. All Notices of Intent shall be signed as follows:

a. For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or (2) the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000 (in second-quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or

c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., Regional Administrators of EPA).

2. All reports required by the permit and other information requested by the Department shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:



- a. The authorization is made in writing by a person described above and submitted to the Department.
- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position).
- c. **Changes to authorization.** If an authorization under Part II.B.3. is no longer accurate because a different operator has responsibility for the overall operation of the construction site, a new notice of intent satisfying the requirements of Part II.B must be submitted to the Department prior to or together with any reports, information, or applications to be signed by an authorized representative.
- d. **Certification.** Any person signing documents under paragraph VI.G shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

H. **False Statements, Representations or Certifications Falsifying Tampering with or Rendering Inaccurate Monitoring Devices or Methods**

Section 48-1-340 of the S.C. Pollution Control Act provides that any person who knowingly makes any false statement, representation, or certification in an application, record, report, plan or other document filed or required to be maintained under this permit or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required to be maintained by this permit, shall be subject to the civil or criminal provisions of Sections 48-1-320 and 48-1-330 of the Pollution Control Act.

- I. **Oil and Hazardous Substance Liability.** Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the CWA, Section 106 of CERCLA, the S.C. Pollution Control Act, or applicable provisions of the S.C. Hazardous Waste Management Act and the S.C. Oil and Gas Act.
- J. **Property Rights.** The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- K. **Severability.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
- L. **Requiring an individual permit or an alternative general permit.**
  - 1. The Department may require any person authorized by this permit to apply for and/or obtain either an individual NPDES permit or an alternative NPDES general permit. Any interested person may petition the Department to take action under this paragraph. Where the Department requires a discharger authorized to discharge under this permit to apply for an individual NPDES permit, the Department shall notify the discharger in writing that a permit application is required. This notification shall include a brief statement of

the reasons for this decision, an application form, a statement setting a deadline for the discharger to file the application, and a statement that on the effective date of the individual NPDES permit or the alternative general permit as it applies to the individual permittee, coverage under this general permit shall automatically terminate. Applications shall be submitted to the Department at the address indicated in Part V.C of this permit. The Department may grant additional time to submit the application upon request of the applicant. If a discharger fails to submit in a timely manner an individual NPDES permit application as required by the Department under this paragraph, then the applicability of this permit to the individual NPDES permittee is automatically terminated at the end of the day specified by the Department for application submittal.

2. Any discharger authorized by this permit may request to be excluded from the coverage of this permit by applying for an individual permit. In such cases, the permittee shall submit an individual application in accordance with the requirements of 40 CFR 122.26(c)(1)(ii), with reasons supporting the request, to the Department at the address in Part V.C of this permit. The request may be granted by issuance of an individual permit or an alternative general permit if the reasons cited by the permittee are adequate to support the request.
3. When an individual NPDES permit is issued to a discharger otherwise subject to this permit, or the discharger is authorized to discharge under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee is automatically terminated on the effective date of the individual permit or the date of authorization of coverage under the alternative general permit, whichever the case may be. When an individual NPDES permit is denied to a discharger otherwise subject to this permit, or the discharger is denied for coverage under an alternative NPDES general permit, the applicability of this permit to the individual NPDES permittee remains in effect, unless otherwise specified by the Department.

**M. State/Environmental Laws.**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the CWA.
2. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.

**N. Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of storm water pollution prevention plans. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the conditions of the permit.

**O. Inspection and Entry.** The permittee shall allow the Department or in the case of a construction site which discharges through a municipal separate storm sewer, an authorized representative of the municipal operator or the separate storm sewer receiving the discharge, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;
2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit; and
3. Inspect at reasonable times any facilities or equipment (including monitoring and control equipment).

- P. **Permit Actions.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.
- Q. **Areawide Water Quality Management Plan Conformance.** All storm water discharges from construction sites given coverage under this general permit are in compliance with the appropriate Areawide Water Quality Management Plan prepared pursuant to Section 208 of the CWA.

#### **Part VII. REOPENER CLAUSE**

- A. If there is evidence indicating potential or realized impacts on water quality due to any storm water discharge associated with industrial activity covered by this permit, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with Part I.C of this permit or the permit may be modified to include different limitations and/or requirements.
- B. Permit modification or revocation will be conducted according to S.C. Regulation 61-9.

#### **Part VIII. TERMINATION OF COVERAGE**

- A. **Notice of Termination.** Where a site has been finally stabilized and all storm water discharges from construction activities that are authorized by this permit are eliminated, the operator of the facility may submit a Notice of Termination that is signed in accordance with Part VI.G of this permit. The Notice of Termination shall include the following information:
1. The mailing address of the construction site for which the notification is submitted. Where a mailing address for the site is not available, the location of the approximate center of the site must be described in terms of the latitude and longitude to the nearest 15 seconds, or the section, township and range to the nearest quarter;
  2. The name, address and telephone number of the operator addressed by the Notice of Termination;
  3. The NPDES permit number for the storm water discharge identified by the Notice of Termination;
  4. An indication of whether the storm water discharges associated with industrial activity have been eliminated or the operator of the discharges has changed; and
  5. The following certification signed in accordance with Part VI.G (signatory requirements) of this permit:

"I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by an NPDES general permit have been eliminated or that I am no longer the operator of the construction activity. I understand that by submitted this notice of termination, that I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging activity to waters of South Carolina is unlawful under the S.C. Pollution Control Act and the Federal Clean Water Act where the discharge is not authorized by an NPDES permit. I also understand that the submittal of this notice of termination does not release an operator from liability for any violations of this permit or the Clean Water Act."

For the purposes of this certification, elimination of storm water discharges associated with industrial activity means that all disturbed soils at the identified facility have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with construction activities from the identified site that are authorized by a NPDES general permit have otherwise been eliminated.

- B. **Addresses.** All Notices of Termination are to be sent, using the form provided by the Department (or a photocopy thereof), to the following address:

S.C. Dept. Of Health and Environmental Control  
NPDES/ND Permit Administration  
Storm Water Notice of Termination  
2600 Bull Street  
Columbia, S.C. 29201

## Part IX. DEFINITIONS

**"Best Management Practices"** ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of South Carolina. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

**"CFR"** means the Code of Federal Regulations.

**"Commencement of Construction"** - The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.

**"CWA"** means Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. (6-483 and Pub. L. 97-117, 33 U.S.C. 1251 et.seq.

**"Dedicated portable asphalt plant"** - A portable asphalt plant that is located on or contiguous to a construction site and that provides asphalt only to the construction site that the plant is located on or adjacent to. The term dedicated portable asphalt plant does not include facilities that are subject to the asphalt emulsion effluent limitation guideline at 40 CFR 443.

**"Dedicated portable concrete plant"** - A portable concrete plant that is located on or contiguous to a construction site and that provides concrete only to the construction site that the plant is located on or adjacent to.

**"Department"** means the South Carolina Department of Health and Environmental Control or an authorized representative.

**"Director"** means the Regional Administrator of the United States Environmental Protection Agency or an authorized representative.

**"EPA"** means the United States Environmental Protection Agency.

**"Final Stabilization"** means that all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% the cover for the area has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.

**"Flow-weighted composite sample"** means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

**"Large and Medium municipal separate storm sewer system"** means all municipal separate storm sewers that are either:

- (i) located in an incorporated place (city) with a population of 100,000 or more as determined by the latest Decennial Census by the Bureau of Census (these cities presently are Columbia and Greenville; or

- (ii) located in the counties with unincorporated urbanized populations of 100,000 or more, except municipal separate storm sewers that are located in the incorporated places, townships or towns within such counties (these counties presently are Greenville and Richland; or
- (iii) owned or operated by a municipality other than those described in paragraph (i) or (ii) and that are designated by the Department as part of the large or medium municipal separate storm sewer system (certain drainage areas of the City of Charleston have been designated).

"NOI" means notice of intent to be covered by this permit (see Part II of this permit.)

"NOT" means notice of termination (see Part VIII of this permit).

"Point Source" means any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

"Runoff coefficient" means the fraction of total rainfall that will appear at the conveyance as runoff.

"Storm Water" means storm water runoff, snow melt runoff, and surface runoff and drainage.

"Storm Water Associated with Industrial Activity" means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program. For the categories of industries identified in subparagraphs (i) through (x) of this subsection, the term includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process waste waters (as defined at 40 CFR 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water. For the categories of industries identified in subparagraph (xi), the term includes only storm water discharges from all areas listed in the previous sentence (except access roads) where material handling equipment or activities, raw materials, intermediate products, final products, waste materials, by-products, or industrial machinery are exposed to storm water. For the purposes of this paragraph, material handling activities include the: storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, finished product, by-product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with storm water drained from the above described areas. Industrial facilities (including industrial facilities that are Federally or municipally owned or operated that meet the description of the facilities listed in this paragraph (i)-(xi)) include those facilities designated under 122.26(a)(1)(v). The following categories of facilities are considered to be engaging in "industrial activity" for purposes of this subsection:

- (i) Facilities subject to storm water effluent limitations guidelines, new source performance standards, or toxic pollutant effluent standards under 40 CFR Subchapter N (except facilities with toxic pollutant effluent standards which are exempted under category (xi) of this definition);
- (ii) Facilities classified as Standard Industrial Classifications 24 (except 2434), 26 (except 265 and 267), 28, 29, 311, 32, 33, 3441, 373;
- (iii) Facilities classified as Standard Industrial Classifications 10 through 14 (mineral industry) including active or inactive mining operations (except for areas of coal mining operations meeting the definition of a reclamation area under 40 CFR 434.11(l)) because the performance bond issued to the facility by the appropriate SMCRA authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990 and

oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with, any overburden, raw material, intermediate products, finished products, byproducts or waste products located on the site of such operations; inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator;

(iv) Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under Subtitle C of RCRA;

(v) Landfills, land application sites, and open dumps that have received any industrial wastes (waste that is received from any of the facilities described under this subsection) including those that are subject to regulation under Subtitle D of RCRA;

(vi) Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093;

(vii) Steam electric power generating facilities, including coal handling sites;

(viii) Transportation facilities classified as Standard Industrial Classifications 40, 41, 42, 44, and 45 which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations, or which are otherwise identified under paragraphs (i)-(vii) or (ix)-(xi) of this subsection are associated with industrial activity;

(ix) Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge that are located within the confines of the facility, with a design flow of 1.0 mgd or more, or required to have an approved pretreatment program under 40 CFR 403. Not included are farm lands, domestic gardens or lands used for sludge management where sludge is beneficially reused and which are not physically located in the confines of the facility, or areas that are in compliance with 40 CFR 503;

(x) Construction activity including clearing, grading and excavation activities except: operations that result in the disturbance of less than five acres of total land area which are not part of a larger common plan of development or sale<sup>2</sup> ;

(xi) Facilities under Standard Industrial Classifications 20, 21, 22, 23, 2434, 25, 265, 267, 27, 283, 31 (except 311), 34 (except 3441), 35, 36, 37 (except 373), 38, 39, 4221-25, (and which are not otherwise included within categories (i)-(x)).

**"Waters of South Carolina"** means all waters of the United States within the political boundaries of the State of south Carolina.

**"Waters of the United States"** means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) All interstate waters, including interstate "wetlands";

(c) All other waters such as interstate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) Which are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as waters of the United States under this definition;

(e) Tributaries of waters identified in paragraphs (a) through (d) of this definition;

---

<sup>2</sup> On June 4, 1992, the United States Court of Appeals for the Ninth Circuit remanded the exemption for construction sites of less than five acres to the EPA for further rulemaking. (Nos. 90-70671 and 91-70200). Upon final resolution of this issue this definition will be administratively modified without public notice to comply with the final EPA definition.

(f) The territorial sea; and

(g) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of the United States. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the United States (such as disposal areas in wetlands) nor resulted from the impoundment of waters of the United States.

"10-year, 24-hour precipitation event" means the maximum 24-hour precipitation event with a probable reoccurrence interval of once in 10 years.

**STORMWATER MANAGEMENT  
STANDARD REPORTING FORM FOR CONSTRUCTION SITES  
DISTURBING 2 ACRES OR LESS**  
(See Reverse for Instructions)

DATE \_\_\_\_\_

1. FACILITY NAME OR PROJECT NAME \_\_\_\_\_  
COUNTY \_\_\_\_\_ CITY/TOWN \_\_\_\_\_  
LOCATION (also shown on location map) \_\_\_\_\_  
TAX MAP # \_\_\_\_\_

2. PROPERTY OWNER OF RECORD \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_

3. ENGINEER OR CONTACT PERSON \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_

4. CONTRACTOR OR OPERATOR (if known) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_

5. SITE OR DAY-TO-DAY CONTACT \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_

6. SIZE, TOTAL (acres) \_\_\_\_\_ SURFACE AREA OF LAND DISTURBANCE \_\_\_\_\_

7. NEAREST RECEIVING WATERBODY \_\_\_\_\_  
DISTANCE TO NEAREST RECEIVING WATERBODY \_\_\_\_\_  
ARE THERE ANY FRESHWATER WETLANDS LOCATED ON THE PROPERTY? \_\_\_\_\_

IF YES, HAVE THE WETLANDS BEEN DELINEATED? \_\_\_\_\_

8. START DATE \_\_\_\_\_ COMPLETION DATE \_\_\_\_\_

9. DESCRIPTION OF CONTROL PLAN TO BE USED DURING CONSTRUCTION. (MAY BE SHOWN ON PLAN SHEETS)

10. I HEREBY CERTIFY THAT ALL LAND DISTURBING CONSTRUCTION AND ASSOCIATED ACTIVITY PERTAINING TO THIS SITE SHALL BE ACCOMPLISHED PURSUANT TO AND IN KEEPING WITH THE TERMS AND CONDITIONS OF THE APPROVED PLANS. I ALSO CERTIFY THAT A RESPONSIBLE PERSON WILL BE ASSIGNED TO THE PROJECT FOR DAY-TO DAY CONTROL.

\_\_\_\_\_  
OWNER/PERSON FINANCIALLY RESPONSIBLE

11. I HEREBY GRANT AUTHORIZATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND/OR THE LOCAL IMPLEMENTING AGENCY THE RIGHT OF ACCESS TO THE SITE AT ALL TIMES FOR THE PURPOSE OF ON SITE INSPECTIONS DURING THE COURSE OF CONSTRUCTION AND TO PERFORM MAINTENANCE INSPECTIONS FOLLOWING THE COMPLETION OF THE LAND DISTURBING ACTIVITY.

\_\_\_\_\_  
OWNER/PERSON FINANCIALLY RESPONSIBLE



**INSTRUCTIONS**  
**STANDARD REPORTING FORM FOR CONSTRUCTION SITES DISTURBING 2 ACRES OR LESS**

**Who Must File A Standard Reporting Form For Disturbing 2 Acres or Less**

Any public (federal, state, local or school), private, industrial, commercial and/or residential subdivision project that will be engaging in any land disturbing activity that disturbs an area two (2) acres or less.

**When is a Land Disturbance Permit Required on Projects of 2 Acres or Less of Actual Disturbance**

If the land disturbance project is located within one-half (1/2) mile of a receiving waterbody in the S. C. Coastal Zone (Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Horry and Jasper Counties) then a permit is required and this reporting form **CAN NOT** be used. Particular emphasis shall be placed on the following projects in this category:

- (a) All commercial buildings which will handle hazardous chemicals (including gasoline, kerosene, diesel fuel, nutrients, etc.)
- (b) All commercial buildings and parking/runway areas with greater than one (1) acre of impervious surface (building and parking).
- (c) All commercial buildings and parking/runway areas with greater than one-half (1/2) acre of impervious surface located directly adjacent to a salt water (critical) area.
- (d) All residential subdivision developments located directly adjacent to a salt water (critical) area.
- (e) All projects impacting Geographical Areas of Particular Concern (GAPC)

The design of these projects (a-e) must meet the requirements of R. 72-307I of the S. C. Stormwater management and Sediment Reduction regulations and must have the plans and specifications prepared by a registered engineer, landscape architect or Tier B Land surveyor. Other activities within one-half (1/2) mile of a receiving waterbody in the Coastal Zone require a permit but must only meet the submittal requirements of R.72-307H which do not require preparation by a licensed professional.

**Where To File**

**Georgetown and Horry Counties:**

S.C.D.H.E.C. - O.C.R.M.  
1601 North Oak Street, Suite 203  
Myrtle Beach, SC 29577  
(803) 626-7217

**Beaufort and Jasper Counties:**

S.C.D.H.E.C. - O.C.R.M.  
Post Office Box 587  
Beaufort, SC 29901  
(803) 524-6885

**Berkeley, Charleston, Colleton, and Dorchester Counties:**

S.C.D.H.E.C. - O.C.R.M.  
4130 Faber Place, Suite 300  
Charleston, SC 29405  
(803) 744-5838

**Greenville County:**

Greenville County Soil &  
Water Conservation District  
301 University Ridge, Suite 4500  
Greenville, SC 29601  
(803) 467-2766

**City of Greenville:**

City of Greenville  
Engineering & Public Works Department  
Post Office Box 2207  
Greenville, SC 29602  
(803) 467-4400

**Spartanburg County:**

Spartanburg County Public Works Department  
Post Office Box 1633  
Spartanburg, SC 29304  
(803) 596-3582

**City of Spartanburg:**

City of Spartanburg  
Public Works Department  
Post Office Drawer 1749  
Spartanburg, SC 29304-1749  
(803) 596-2107

**York County:**

York County Planning  
and Development Services  
1070 Hackle Boulevard, Box A-5  
Rock Hill, SC 29732  
(803) 922-7271

**All other counties:**

S.C.D.H.E.C.  
Stormwater Management  
2600 Bull Street  
Columbia, SC 29201  
(803) 734-5300

**Completing The Application**

You must type or print, in the appropriate areas only. Direct any questions you may have to (803) 734-5300 or the appropriate implementing agency.

1. Enter the name of the project or facility where the land disturbing activity will be taking place. List the county and name of city/town if applicable. Enter the location of the activity and the tax map number.
- 2-5. Enter the name, and complete address and phone numbers as needed.
6. Enter the total area of the project in acres. Enter the total area that will be disturbed, in acres.
7. Enter the name of the waterbodies. Enter yes or no as needed.
8. List the anticipated start and completion dates for this project.
9. Describe control plan to be used during construction.

For questions 10 & 11, please read the certification. Have appropriate person(s) sign and date the certification.

**What Happens After I File**

If a permit is not required then the reporting form and pertinent submittal information is sent to the appropriate office of DHEC and the applicant may proceed with construction activity provided the practices indicated in the submittal are incorporated. A letter or permit in response to this reporting form is not required from DHEC. However, DHEC personnel can conduct site inspections to insure compliance with the submitted plans.

S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
STORMWATER MANAGEMENT SUBMITTAL CHECK LIST

**SITES DISTURBING TWO (2) ACRES OR LESS**

The applicant must include the following items in the submittal package:

- ☐ 1. An anticipated starting and completion date of the various stages of land disturbing activities and the expected date the final stabilization will be completed.
- ☐ 2. A narrative description of the stormwater management and sediment control plan to be used during land disturbing activities.
- ☐ 3. General description of topographic and soil conditions of the tract.
- ☐ 4. A general description of adjacent property and a description of existing structures, buildings, and other fixed improvements located on surrounding properties.
- ☐ 5. A sketched plan (engineer's, Tier B surveyor's or landscape architect's seal **not** required) to accompany the narrative which shall contain:
  - ☐ (a) A site location drawing of the proposed project, indicating the location of the proposed project in relation to the nearest receiving waterbodies, roadways, and jurisdictional boundaries;
  - ☐ (b) The boundary lines of the site on which the work is to be performed;
  - ☐ (c) A topographic map of the site if required by DHEC staff;
  - ☐ (d) The location and details of temporary and permanent vegetative and structural stormwater management and sediment control measures.
- ☐ 6. Stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity that the land disturbing activity will be accomplished pursuant to the plan.
- ☐ 7. All stormwater management and sediment control plans shall contain certification by the person responsible for the land disturbing activity of the right of DHEC or implementing agency to conduct on-site inspections.

(The requirements contained above may be indicated on one plan sheet.)

STORMWATER MANAGEMENT  
STANDARD APPLICATION FORM FOR CONSTRUCTION SITES  
DISTURBING MORE THAN 2 ACRES  
(See Reverse for Instructions)

Submission of this application constitutes notice that the party identified in Section 2 of this form intends to be authorized by a NPDES permit issued for storm water discharges associated with construction activity in the State of South Carolina. Becoming a permittee obligates such discharges to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

Section 1

Date \_\_\_\_\_

1. FACILITY NAME OR PROJECT NAME \_\_\_\_\_  
COUNTY \_\_\_\_\_ CITY OR TOWN \_\_\_\_\_  
LOCATION (also shown on location map) \_\_\_\_\_  
LATITUDE \_\_\_\_\_ LONGITUDE \_\_\_\_\_  
TAX MAP # \_\_\_\_\_ USGS QUAD NAME \_\_\_\_\_
2. NEAREST RECEIVING WATERBODY \_\_\_\_\_  
DISTANCE TO NEAREST RECEIVING WATERBODY \_\_\_\_\_  
ULTIMATE RECEIVING WATERBODY \_\_\_\_\_

Section 2

3. PROPERTY OWNER OF RECORD \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_
4. PERSON FINANCIALLY RESPONSIBLE FOR THE LAND DISTURBING ACTIVITY  
(if different from above) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_
5. AGENT OR CONTACT PERSON (if applicable) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_
6. ENGINEER, TECHNICAL REPRESENTATIVE OR FIRM \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_
7. CONTRACTOR OR OPERATOR (if known) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
PHONE (DAY) \_\_\_\_\_ (NIGHT) \_\_\_\_\_ (MOBILE) \_\_\_\_\_

Section 3

8. SIZE, TOTAL (acres) \_\_\_\_\_ SURFACE AREA OF LAND DISTURBANCE (acres) \_\_\_\_\_
9. SIC CODE \_\_\_\_\_ (SIC code only required if site disturbs 5 acres or more)
- IS THE SITE LOCATED ON INDIAN LANDS? (if site disturbs 5 acres or more) \_\_\_\_\_
10. TYPE OF PROJECT & FEES (please circle the type of activity)  
a. Federal - State - Local - School (EXEMPT FROM FEES)  
b. Industrial - Commercial - Residential (\$50 per disturbed acre, max. \$1,000 per project)
- TOTAL FEE \$ \_\_\_\_\_

INSTRUCTIONS  
STANDARD APPLICATION FORM FOR CONSTRUCTION SITES DISTURBING MORE THAN 2 ACRES

**Who Must File A Standard Application Form For Sites Greater Than Two (2) Acres**

Any Public (federal, state, local or school) or private industrial, commercial, and/or residential project that will be engaging in any land disturbing activity that disturbs an area of two (2) or more acres.

**Where To File**

**Georgetown and Horry Counties:**

S.C.D.H.E.C.-O.C.R.M.  
1601 North Oak Street, Suite 203, Myrtle Offices  
Myrtle Beach, SC 29577  
(803) 626-7217

**Beaufort and Jasper Counties:**

S.C.D.H.E.C.-O.C.R.M.  
P. O. Box 587  
Beaufort, SC 29901  
(803) 524-6885

**Berkeley, Charleston Colleton, and Dorchester Counties:**

S.C.D.H.E.C.-O.C.R.M.  
4130 Faber Place, Suite 300  
Charleston, SC 29405  
(803) 744-5838

**Greenville County:**

Greenville County Soil and Water Conservation District  
301 University Ridge, Suite 4500  
Greenville SC 29601  
(803) 467-2756

**Spartanburg County:**

Spartanburg County Public Works Department  
P.O. Box 1633  
Spartanburg, SC 29304  
(803) 596-3582

**City of Spartanburg:**

City of Spartanburg Public Works Department  
P.O. Drawer 1749  
Spartanburg, SC 29304-1749

**York County:**

York County Planning and Development Services  
1070 Heckle Blvd. Box A-5  
Rock Hill, SC 29732  
(803) 922-7271

**All Other Counties:**

Department of Health & Environmental Control  
Stormwater Management  
2600 Bull Street  
Columbia, SC 29201  
(803) 734-5300

**Completing The Application**

You must type or print, in the appropriate areas only. Direct any questions you may have to (803) 734-5300 or appropriate agency.

**Section 1 Location Information**

1. Enter the name of the project or facility where the land disturbing activity will be taking place. Enter the location of the activity. A USGS map with the site location identified *must* be included.

2. Enter the names of the waterbodies as needed.

**Section 2 Personal Information**

Enter the name, complete address and phone numbers as needed.

**Section 3 General Information**

8. Enter the total area of the project area in acres. Enter the total surface area, in acres, of the land that will be disturbed. If two (2) acres or less, please refer to Standard Reporting Form For Construction Sites Disturbing 2 Acres or Less.

9. List the Standard Industrial Classification (SIC) code as needed. Enter yes or no, as appropriate if the site is located on Indian lands. (Only needed if site is 5 acres or greater).

**NOTE: SIC CODES ONLY REQUIRED IF SITE  
DISTURBS FIVE (5) OR MORE ACRES**

**SIC CODES:**

**15 GENERAL BUILDING CONTRACTORS**

1521 Single-family housing construction  
1522 Residential construction, nec.  
1531 Operative builders  
1541 Industrial buildings and warehouses  
1542 Nonresidential construction, nec.

**16 HEAVY CONSTRUCTION**

1611 Highway and Street Construction  
1622 Bridge, tunnel, and elevated highway  
1623 Water, sewer, and utility lines  
1629 Heavy construction, nec.

**17 SPECIAL TRADE CONTRACTORS**

1794 Evacuation work  
1795 Wrecking and demolition work

10. Circle the appropriate type of project. If your project is listed in the "a" category enter "EXEMPT" for the total fee. If your project is listed in the "b" category then enter the total fee.

11. Enter the actual start and completion dates or a best estimate.

12. Enter yes or no, as appropriate. If yes, delineation must be included on the plan.

**Section 4 Certification**

For questions 13 through 15 please read the certification. Have appropriate person(s) sign and date the certification.

**Section 5 For Internal Use Only**

**Section 6 Reminder**

Distribute a Copy of the plans after approval to the 3 parties listed.

11. START DATE \_\_\_\_\_ COMPLETION DATE \_\_\_\_\_
12. ARE THERE ANY FRESHWATER WETLANDS LOCATED ON THE PROPERTY? \_\_\_\_\_  
IF YES, HAVE THE WETLANDS BEEN DELINEATED? \_\_\_\_\_
- 

**Section 4**

**CERTIFICATION**

13. I HEREBY CERTIFY THAT ALL LAND DISTURBING CONSTRUCTION AND ASSOCIATED ACTIVITY PERTAINING TO THIS SITE SHALL BE ACCOMPLISHED PURSUANT TO AND IN KEEPING WITH THE TERMS AND CONDITIONS OF THE APPROVED PLANS. I ALSO CERTIFY THAT A RESPONSIBLE PERSON WILL BE ASSIGNED TO THE PROJECT FOR DAY-TO-DAY CONTROL. I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHERED AND EVALUATED THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

\_\_\_\_\_  
OWNER/PERSON FINANCIALLY RESPONSIBLE

14. I HEREBY GRANT AUTHORIZATION TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND/OR THE LOCAL IMPLEMENTING AGENCY THE RIGHT OF ACCESS TO THE SITE AT ALL TIMES FOR THE PURPOSE OF ON SITE INSPECTIONS DURING THE COURSE OF CONSTRUCTION AND TO PERFORM MAINTENANCE INSPECTIONS FOLLOWING THE COMPLETION OF THE LAND DISTURBING ACTIVITY.

\_\_\_\_\_  
OWNER/PERSON FINANCIALLY RESPONSIBLE

15. DESIGNER CERTIFICATION - FIVE COPIES OF THE PLANS, ALL SPECIFICATIONS AND SUPPORTING CALCULATION, FORMS, AND REPORTS ARE HEREWITH SUBMITTED AND MADE A PART OF THIS APPLICATION. I HAVE PLACED MY SIGNATURE AND SEAL ON THE DESIGN DOCUMENTS SUBMITTED SIGNIFYING THAT I ACCEPT RESPONSIBILITY FOR THE DESIGN OF THE SYSTEM. FURTHER I CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THE DESIGN IS CONSISTENT WITH THE REQUIREMENTS OF TITLE 48, CHAPTER 14 OF THE CODE OF LAWS OF SC, 1976 AS AMENDED, AND PURSUANT REGULATION 72-300.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
S.C. REGISTRATION NUMBER

\_\_\_\_\_  
ENGINEER  
\_\_\_\_\_  
TIER B. LAND SURVEYOR  
\_\_\_\_\_  
LANDSCAPE ARCHITECT

---

Section 5

FOR OFFICIAL USE ONLY

FILE # \_\_\_\_\_

1. I HEREBY CERTIFY THAT I HAVE THOROUGHLY REVIEWED THE APPLICATION, PLANS AND SUPPORTING DOCUMENTS AND FOUND THEM TO BE IN COMPLIANCE WITH THE LETTER AND THE INTENT OF THE LAW. THIS STAMP OF APPROVAL ON THE PLANS IS SOLELY AN ACKNOWLEDGEMENT OF SATISFACTORY COMPLIANCE WITH THE REQUIREMENTS OF THESE REGULATIONS. THE APPROVAL STAMP DOES NOT CONSTITUTE A REPRESENTATION OR WARRANTY TO THE APPLICANT OR ANY OTHER PERSON CONCERNING THE SAFETY, APPROPRIATENESS OF EFFECTIVENESS OF ANY PROVISIONS, OR OMISSION FROM THE STORMWATER AND SEDIMENT PLAN. I HAVE STAMPED FIVE SETS OF PLANS APPROVED. I HAVE FILED ONE SET AND DISTRIBUTED ONE SET TO THE INSPECTION AUTHORITY.

\_\_\_\_\_  
PLAN REVIEWER

2. WILL AS BUILT CERTIFICATION BY A REGISTERED PROFESSIONAL RESPONSIBLE FOR CONSTRUCTION BE REQUIRED FOR THIS PROJECT FOR FINAL APPROVAL?  
(To be specified by reviewer)

YES \_\_\_\_\_

NO \_\_\_\_\_

IF YES

PRIOR TO FINAL APPROVAL, I WILL SUBMIT A STATEMENT CERTIFYING THAT CONSTRUCTION IS COMPLETE AND IN ACCORDANCE WITH APPROVED PLANS AND SPECIFICATIONS. THIS WILL BE BASED UPON PERIODIC OBSERVATIONS OF CONSTRUCTION AND A FINAL INSPECTION FOR DESIGN COMPLIANCE BY ME OR A REPRESENTATIVE OF MY OFFICE WHO IS UNDER MY SUPERVISION. (To be signed by a registered professional responsible for construction)

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
S.C REGISTRATION NUMBER

\_\_\_\_\_  
ENGINEER

\_\_\_\_\_  
TIER B, LAND SURVEYOR

\_\_\_\_\_  
LANDSCAPE ARCHITECT

Section 6

FOR APPLICANT USE

PLEASE DISTRIBUTE 3 COPIES OF THE APPROVED PLANS AS SHOWN. PLEASE HAVE A COPY OF THE PLANS WITH THE APPROVAL STAMP ON THE SITE AT ALL TIMES.

1. OWNER/PERSON FINANCIALLY RESPONSIBLE
2. DESIGN PROFESSIONAL
3. CONTRACTOR

S. C. DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL  
STORMWATER PERMIT CHECK LIST

SITES DISTURBING MORE THAN TWO (2) ACRES

The applicant must include the following items as part of the submittal package for a stormwater management permit:

- ☐ 1. Site plans (24 X 36 preferred).
- ☐ 2. Copy of a 1:24,000 scale USGS topographic map with project outlined and the route of runoff offsite to the nearest receiving waterbody.
- ☐ 3. Permit fee of \$50/disturbed acre up to a maximum of \$1000.
- ☐ 4. Completed application form.
- ☐ 5. Project narrative (include brief overall description of project and pre- and post- development site conditions).
- ☐ 6. Project calculations to include proposed flows versus requirements, peak rate(s) of runoff/discharge, and inflow/outflow hydrographs at point(s) of discharge. A *summary sheet* with the amount of impervious area (acres), pre- and post-development runoff rates (cfs), and the amount of storage required (acre-ft) **must** be included.
- ☐ 7. Existing and proposed contours on a current plat.
- ☐ 8. Wetland delineation (if applicable).
- ☐ 9. Sequence of construction operations.
- ☐ 10. Identification of all phasing.
- ☐ 11. Locations of stormwater and sediment control features.
- ☐ 12. Details of stormwater and sediment control features (to include cross sections of ponds and swales, silt fence or hay bale detail, construction entrance detail, etc.).
- ☐ 13. A general description of the predominant soil types on the site.
- ☐ 14. A description of the maintenance program for stormwater management and/or sediment control facilities.
- ☐ 15. Sediment control notes to be included on the plans (as follows):

All sediment control measures shall be inspected at least once every seven calendar days and after any storm event of greater than 0.5 inches of precipitation during any 24-hour period. All sediment control features shall be maintained until final stabilization has been obtained.

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased, unless activity in that portion of the site will resume within 21 days.

Residential subdivisions require erosion control features for infrastructure as well as for individual lot construction. Individual property owners shall follow these plans during lot construction or provide an individual plan meeting Section R.72-307 of the Stormwater Management and Sediment Reduction Act requirements.

NPDES  
FORMUnited States Environmental Protection Agency  
Washington, DC 20460

## Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial Activity Under the NPDES General Permit

Submission of this Notice of Intent constitutes notice that the party identified in Section I of this form intends to be authorized by a NPDES permit issued for storm water discharges associated with industrial activity in the State identified in Section II of this form. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

## I. Facility Operator Information

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Status of Owner/Operator: ☐

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

## II. Facility/Site Location Information

Name: \_\_\_\_\_ Is the Facility Located on Indian Lands? (Y or N) ☐

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_ Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

## III. Site Activity Information

MS4 Operator Name: \_\_\_\_\_

Receiving Water Body: \_\_\_\_\_

If You are Filing as a Co-permittee, Enter Storm Water General Permit Number: \_\_\_\_\_ Are There Existing Quantitative Data? (Y or N) ☐ Is the Facility Required to Submit Monitoring Data? (1, 2, or 3) ☐

SIC or Designated Activity Code: Primary: \_\_\_\_\_ 2nd: \_\_\_\_\_ 3rd: \_\_\_\_\_ 4th: \_\_\_\_\_

If This Facility is a Member of a Group Application, Enter Group Application Number: \_\_\_\_\_

If You Have Other Existing NPDES Permits, Enter Permit Numbers: \_\_\_\_\_

## IV. Additional Information Required for Construction Activities Only

Project Start Date: \_\_\_\_\_ Completion Date: \_\_\_\_\_

Estimated Area to be Disturbed (in Acres): \_\_\_\_\_ Is the Storm Water Pollution Prevention Plan in Compliance with State and/or Local Sediment and Erosion Plans? (Y or N) ☐

V. Certification: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_





Instructions - EPA Form 3510-6  
Notice Of Intent (NOI) For Storm Water Discharges Associated With Industrial Activity  
To Be Covered Under The NPDES General Permit

**Who Must File A Notice Of Intent (NOI) Form**

Federal law at 40 CFR Part 122 prohibits point source discharges of storm water associated with industrial activity to a water body(ies) of the U.S. without a National Pollutant Discharge Elimination System (NPDES) permit. The operator of an industrial activity that has such a storm water discharge must submit a NOI to obtain coverage under the NPDES Storm Water General Permit. If you have questions about whether you need a permit under the NPDES Storm Water program, or if you need information as to whether a particular program is administered by EPA or a state agency, contact the Storm Water Hotline at (703) 821-4823.

**Where To File NOI Form**

NOIs must be sent to the following address:

Storm Water Notice of Intent  
PO Box 1215  
Newington, VA 22122

**Completing The Form**

You must type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions on this form, call the Storm Water Hotline at (703) 821-4823.

**Section I Facility Operator Information**

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same as the name of the facility. The responsible party is the legal entity that controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

Enter the appropriate letter to indicate the legal status of the operator of the facility

F = Federal	M = Public (other than federal or state)
S = State	P = Private

**Section II Facility/Site Location Information**

Enter the facility's or site's official or legal name and complete street address, including city, state, and ZIP code. If the facility or site lacks a street address, indicate the state, the latitude and longitude of the facility to the nearest 15 seconds, or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site.

Indicate whether the facility is located on Indian lands.

**Section III Site Activity Information**

If the storm water discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., municipality name, county name) and the receiving water of the discharge from the MS4. (A MS4 is defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is owned or operated by a state, city, town, borough, county, parish, district, association, or other public body which is designed or used for collecting or conveying storm water.)

If the facility discharges storm water directly to receiving water(s), enter the name of the receiving water.

If you are filing as a co-permittee and a storm water general permit number has been issued, enter that number in the space provided.

Indicate whether or not the owner or operator of the facility has existing quantitative data that represent the characteristics and concentration of pollutants in storm water discharges.

Indicate whether the facility is required to submit monitoring data by entering one of the following:

- 1 = Not required to submit monitoring data.
- 2 = Required to submit monitoring data.
- 3 = Not required to submit monitoring data; submitting certification for monitoring exclusion

Those facilities that must submit monitoring data (e.g., choice 2) are: Section 313 EPCRA facilities; primary metal industries; land disposal units/incinerators/BIFs; wood treatment facilities; facilities with coal pile runoff; and, battery reclaimers.

List, in descending order of significance, up to four 4-digit standard industrial classification (SIC) codes that best describe the principal products or services provided at the facility or site identified in Section II of this application.

For industrial activities defined in 40 CFR 122.26(b)(14)(i)-(xi) that do not have SIC codes that accurately describe the principal products produced or services provided, the following 2-character codes are to be used:

- HZ = Hazardous waste treatment, storage, or disposal facilities, including those that are operating under interim status or a permit under subtitle C of RCRA [40 CFR 122.26 (b)(14)(iv)];
- LF = Landfills, land application sites, and open dumps that receive or have received any industrial wastes, including those that are subject to regulation under subtitle D of RCRA [40 CFR 122.26 (b)(14)(v)];
- SE = Steam electric power generating facilities, including coal handling sites [40 CFR 122.26 (b)(14)(vii)];
- TW = Treatment works treating domestic sewage or any other sewage sludge or wastewater treatment device or system, used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage [40 CFR 122.26 (b)(14)(ix)]; or,
- CO = Construction activities [40 CFR 122.26 (b)(14)(x)].

If the facility listed in Section II has participated in Part 1 of an approved storm water group application and a group number has been assigned, enter the group application number in the space provided.

If there are other NPDES permits presently issued for the facility or site listed in Section II, list the permit numbers. If an application for the facility has been submitted but no permit number has been assigned, enter the application number.

**Section IV Additional Information Required for Construction Activities Only**

Construction activities must complete Section IV in addition to Sections I through III. Only construction activities need to complete Section IV.

Enter the project start date and the estimated completion date for the entire development plan.

Provide an estimate of the total number of acres of the site on which soil will be disturbed (round to the nearest acre).

Indicate whether the storm water pollution prevention plan for the site is in compliance with approved state and/or local sediment and erosion plans, permits, or storm water management plans.

**Section V Certification**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this application to be signed as follows:

*For a corporation:* by a responsible corporate officer, which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;

*For a partnership or sole proprietorship:* by a general partner or the proprietor or

*For a municipality, state, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hour per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including suggestions which may increase or reduce this burden to: Chief, Information Management Branch, PM-223, U.S. Environmental Protection Agency, 401 M Washington, DC 20460, or Director, Office of Information and Regulatory Management and Budget, Washington, DC 20503.

Please See Instructions Before Completing This Form

Form Approved UMB No. 2040-0088  
Approval expires: 6-31-95

NPDES  
FORM



United States Environmental Protection Agency  
Washington, DC 20460

# Notice of Termination (NOT) of Coverage Under the NPDES General Permit for Storm Water Discharges Associated with Industrial Activity

Submission of this Notice of Termination constitutes notice that the party identified in Section II of this form is no longer authorized to discharge storm water associated with industrial activity under the NPDES program. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

## I. Permit Information

NPDES Storm Water  
General Permit Number: \_\_\_\_\_

Check Here if You are No Longer  
the Operator of the Facility: ☐

Check Here if the Storm Water  
Discharge is Being Terminated: ☐

## II. Facility Operator Information

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

## III. Facility/Site Location Information

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Latitude: \_\_\_\_\_ Longitude: \_\_\_\_\_ Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

IV. Certification: I certify under penalty of law that all storm water discharges associated with industrial activity from the identified facility that are authorized by a NPDES general permit have been eliminated or that I am no longer the operator of the facility or construction site. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge storm water associated with industrial activity under this general permit, and that discharging pollutants in storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of this permit or the Clean Water Act.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

## Instructions for Completing Notice of Termination (NOT) Form

### Who May File a Notice of Termination (NOT) Form

Permittees who are presently covered under the EPA issued National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activity may submit a Notice of Termination (NOT) form when their facilities no longer have any storm water discharges associated with industrial activity as defined in the storm water regulations at 40 CFR 122.26 (b)(14) or when they are no longer the operator of the facilities.

For construction activities, elimination of all storm water discharges associated with industrial activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all storm water discharges associated with industrial activity from the construction site that are authorized by a NPDES general permit have otherwise been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 70% of the cover for unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

### Where to File NOT Form

Send this form to the following address:

Storm Water Notice of Termination  
P.O. Box 1185  
Newington, VA 22122

### Completing the Form

Type or print, using upper-case letters, in the appropriate areas only. Please place each character between the marks. Abbreviate if necessary to stay within the number of characters allowed for each item. Use only one space for breaks between words, but not for punctuation marks unless they are needed to clarify your response. If you have any questions about this form, call the Storm Water Hotline at (703) 821-4823.

PLEASE SEE REVERSE OF THIS FORM FOR FURTHER INSTRUCTIONS

**Instructions - EPA Form 3510-7**  
**Notice of Termination (NOT) of Coverage Under The NPDES General Permit**  
**for Storm Water Discharges Associated With Industrial Activity**

**Section I Permit Information**

Enter the existing NPDES Storm Water General Permit number assigned to the facility or site identified in Section III. If you do not know the permit number, contact the Storm Water Hotline at (703) 821-4823.

Indicate your reason for submitting this Notice of Termination by checking the appropriate box:

If there has been a change of operator and you are no longer the operator of the facility or site identified in Section III, check the corresponding box.

If all storm water discharges at the facility or site identified in Section III have been terminated, check the corresponding box.

**Section II Facility Operator Information**

Give the legal name of the person, firm, public organization, or any other entity that operates the facility or site described in this application. The name of the operator may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation, rather than the plant or site manager. Do not use a colloquial name. Enter the complete address and telephone number of the operator.

**Section III Facility/Site Location Information**

Enter the facility's or site's official or legal name and complete address, including city, state and ZIP code. If the facility lacks a street address, indicate the state, the latitude and longitude of the facility to the nearest 15 seconds, or the quarter, section, township, and range (to the nearest quarter section) of the approximate center of the site.

**Section IV Certification**

Federal statutes provide for severe penalties for submitting false information on this application form. Federal regulations require this certification to be signed as follows:

*For a corporation:* by a responsible corporate officer which means: (i) president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions, or (ii) the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures:

*For a partnership or sole proprietorship:* by a general partner or the proprietor; or

*For a municipality, State, Federal, or other public facility:* by either a principal executive officer or ranking elected official.

**Paperwork Reduction Act Notice**

Public reporting burden for this application is estimated to average 0.5 hours per application, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate, any other aspect of the collection of information, or suggestions for improving this form, including any suggestions which may increase or reduce this burden to: Chief, Information Policy Branch, PM-223, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, or Director, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES FROM  
CONSTRUCTION ACTIVITIES THAT ARE CLASSIFIED AS "ASSOCIATED WITH  
INDUSTRIAL ACTIVITY" BY EPA REGULATION (PERMIT NO.: SCR100000)

CO-PERMITTEE AGREEMENT

All contractors and subcontractors of the owner/operator whose activities at the construction site may impact storm water discharges or controls at the construction site along the duration of the construction project, shall sign a copy of the certification statement given below:

"I certify by my signature below that I accept the terms and conditions of the Storm Water Pollution Prevention Plan (SWPPP) as required by the general National Pollutant Discharge Elimination System (NPDES permit number SCR100000) issued to the owner/operator of the construction activity for which I have been contracted to perform construction related professional services. Further, by my signature below, I understand that I am becoming a co-permittee with the owner/operator and other contractors that have become co-permittees to the general NPDES permit issued to the owner/operator of the facility for which I have been contracted to perform professional construction services. As a co-permittee, I understand that I, and my company, as the case may be, are legally accountable to the SC Department of Health and Environmental Control (DHEC), under the authorities of the CWA and the SC Pollution Control Act, to ensure compliance with the terms and conditions of the SWPPP. I also understand that DHEC enforcement actions may be taken against any specific co-permittee or combination of co-permittees if the terms and conditions of the SWPPP are not met. Therefore, having understood the above information, I am signing this certification and am receiving co-permittee status to the aforementioned general NPDES permit." The date of the signature, the title of the person providing the signature, and the name, address, and telephone number of the contracted firm, shall also be provided. In the event the SWPPP is amended by the owner, such amendments should be incorporated to the plan and the contractors and subcontractors should acknowledge by signature.

The signatory requirements of 40 CFR 122.22, as provided in Part VI.G of Permit No.: SCR100000 are applicable to each contracted entity that must sign the contractor's certification statement. Upon signing the certification, the contractor is a co-permittee and becomes accountable to the Department to ensure the terms and conditions of Permit No.: SCR100000 are implemented. All co-permittees are subject to Department enforcement actions if Permit No.: SCR100000 conditions are not met. Enforcement actions may be taken against any specific co-permittee or combination of co-permittees, with consideration given to the party responsible for the violation. The owner/operator submitting the NOI shall retain

**NPDES GENERAL PERMIT FOR STORM WATER DISCHARGES FROM  
CONSTRUCTION ACTIVITIES THAT ARE CLASSIFIED AS "ASSOCIATED WITH  
INDUSTRIAL ACTIVITY" BY EPA REGULATION (PERMIT NO.: SCR100000)**

**CO-PERMITTEE AGREEMENT (PAGE 2)**

all contractor certifications for at least three years . er a contractor has completed work at the site. Copies all contractor certifications and a copy of Permit No.: SCR10000 shall be retained on the site of the construction activity The owner/operator of the construction project covered by Permit No.: SCR100000 shall make all contractor certifications available upon request to the Department.

<b>CONTRACTOR'S CERTIFICATION</b>		
Certification as co-permittee with _____ (name of owner/operator of construction project covered under general permit) under the South Carolina NPDES General Permit for Storm Water Discharges From Construction Activities That Are Classified As "Associated With Industrial Activity" By EPA Regulation (Permit No.: SCR100000).		
I certify under penalty of law that I understand the terms and conditions of the National Pollutant Discharge Elimination System (NPDES) permit that authorizes the storm water discharges associated with industrial activity from the construction project of the owner/operator identified as part of this certification.		
<b>Signature</b>	<b>For</b>	<b>Responsible for</b>
_____	_____	_____
(Name)	(Company)	
_____	_____	_____
(Position)	(Street/P.O. Box)	(Activity)
_____	_____	
(Signature)	(City, State, Zip)	
Date: _____	Phone: _____	
_____	_____	_____
(Name)	(Company)	
_____	_____	_____
(Position)	(Street/P.O. Box)	(Activity)
_____	_____	
(Signature)	(City, State, Zip)	
Date: _____	Phone: _____	

## **APPENDIX E**

### **SAMPLE CONSTRUCTION PLACARD**

**SC Department of Health  
and Environmental Control**

**Notice of Authorization  
For Land Disturbance**

Expiration Date: \_\_\_\_\_

Permittee: \_\_\_\_\_

Permit Number: \_\_\_\_\_

Address of Permittee: \_\_\_\_\_

Date Issued: \_\_\_\_\_

Name of Project: \_\_\_\_\_

\_\_\_\_\_  
Engineer/Plan Reviewer

City: \_\_\_\_\_

County: \_\_\_\_\_

\_\_\_\_\_  
Date

**APPENDIX F**

**NOTIFICATION OF INITIATION OF LAND DISTURBING ACTIVITY**

**AND REQUEST FOR FINAL SITE INSPECTION LETTER**



Date: \_\_\_\_\_

Mr. John Doe  
Department of Health and  
Environmental Control  
Stormwater Management Section  
2600 Bull Street  
Columbia, SC 29201

RE: Start of Construction

Project: \_\_\_\_\_

County: \_\_\_\_\_

Dear Mr. Doe:

This letter is to inform the Department of Health and Environmental Control (DHEC) that land disturbance on the above referenced project will begin on \_\_\_\_ (date) \_\_\_\_\_. The following contact person will be responsible for ensuring compliance with the Stormwater Permit.

ON-SITE CONTACT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE #: \_\_\_\_\_

Sincerely,

Project Manager  
Company Name

cc: Local DHEC District Office

S. C. DHEC WATER POLLUTION CONTROL  
DISTRICT STORMWATER CONTACTS

DHEC DISTRICT

COUNTIES

UPPER SAVANNAH DISTRICT  
613 Main Street  
Greenwood, SC 29646  
(803) 223-0333

ABBEVILLE, EDGEFIELD, GREENWOOD  
LAURENS, MCCORMICK, SALUDA

LOWER SAVANNAH DISTRICT  
218 Beaufort Street N. E.  
Aiken, SC 29801  
(803) 641-7670

AIKEN, ALLENDALE, BAMBERG  
BARNWELL, CALHOUN, ORANGEBURG

APPALACHIA DISTRICT I  
P. O. Box 1906  
2404 N. Main Street  
Anderson, SC 29621  
(803) 260-5569

ANDERSON, OCONNEE

LOW COUNTRY DISTRICT  
1313 13th Street  
Port Royal, SC 29935  
(803) 522-9097

BEAUFORT, COLLETON, HAMPTON, JASPER

TRIDENT DISTRICT  
2470 Air Park Road  
N. Charleston, SC 29418  
(803) 740-1590

BERKELEY, CHARLESTON, DORCHESTER

APPALACHIA DISTRICT III  
P. O. Box 4217  
151 E. Wood St.  
Spartanburg, SC 29303  
(803) 596-3800

CHEROKEE, SPARTANBURG, UNION

CATAWBA DISTRICT  
P. O. Box 100  
1001 West Grace Ave.  
Fort Lawn, SC 29714  
(803) 285-7461

CHESTER, LANCASTER, YORK

PEE DEE DISTRICT  
145 E. Cheves St.  
Florence, SC 29501  
(803) 661-4825

CHESTERFIELD, DARLINGTON, DILLON  
FLORENCE, MARION, MARLBORO

DHEC DISTRICT

COUNTIES

**WATEREE DISTRICT**

P. O. Box 1628  
105 North Magnolia St.  
Sumter, SC 29151  
(803) 778-1531

**CLARENDON, KERSHAW, LEE, SUMTER**

**CENTRAL MIDLANDS DISTRICT**

P. O. Box 156  
Building #5  
State Park, SC 29147  
(803) 935-7015

**FAIRFIELD, LEXINGTON, NEWBERRY  
RICHLAND**

**WACCAMAW DISTRICT**

1705 Oak St. Plaza, Suite 2  
Myrtle Beach, SC 29577  
(803) 935-7015

**GEORGETOWN, HORRY, WILLIAMSBURG**

**APPALACHIA DISTRICT II**

301 University Ridge, Suite 5800  
Greenville, SC 29601  
(803) 241-1090

**GREENVILLE, PICKENS**

Date: \_\_\_\_\_

Mr. John Doe  
Department of Health and  
Environmental Control  
Stormwater Management Section  
2600 Bull Street  
Columbia, SC 29201

RE: Final Site Inspection Request  
Project: \_\_\_\_\_

Dear Mr. Doe:

This letter is to certify that construction of the stormwater management system at the above referenced project has been completed in accordance with the approved plans and specifications. This certification is based upon periodic observations of construction and a final inspection for design compliance by me or a representative of my office who is under my supervision. Any changes from the approved plans are shown on the attached as-built drawing (if applicable).

I would like for DHEC to schedule a final site inspection for design compliance on:

DATE: \_\_\_\_\_

Sincerely,

Project Engineer  
Company Name

cc: Local DHEC District Office

## **APPENDIX G**

### **DESIGN GUIDELINES FOR SEDIMENT CONTROL**

***REPORT***  
**ENGINEERING AIDS AND DESIGN GUIDELINES  
FOR CONTROL OF SEDIMENT  
in  
SOUTH CAROLINA**

Prepared  
by

**JOHN C. HAYES AND ASSOCIATES**

**John C. Hayes, PE  
Billy J. Barfield, PE  
110 Valley View Drive  
Clemson, SC 29631**

Prepared  
for

**South Carolina Land Resources Commission  
South Carolina Department of Highways  
and Public Transportation  
Columbia, SC  
South Carolina Coastal Council  
Charleston, SC**

**8/31/94**

# **REPORT**

## **ENGINEERING AIDS AND DESIGN GUIDELINES FOR CONTROL OF SEDIMENT IN SOUTH CAROLINA<sup>1</sup>**

**John C. Hayes and Billy J. Barfield**

### ***Introduction***

Simulations using a modified version of SEDIMOT II estimated the effectiveness of structures for sediment control in four different physiographic regions of South Carolina. For the purposes of this work, we separated the state into four (4) major land resource areas - piedmont, sand hills, coastal plain, and tidal area. Treatments also included multiple watershed sizes, land uses, and soil textures in each land resource area. The evaluation included a wide range of slope lengths, slopes, pond dimensions, watershed shapes, as well as other factors that are required for specific structures. Impacts of various controls on downstream sediment load were evaluated using generated hydrographs and sedimentgraphs from watersheds. Design aids in the form of graphs were developed to simplify design for typical conditions and avoid simple rule-of-thumb design estimates. These design aids are a compromise between detailed simulations and simple rules-of-thumb.

### ***Background***

Recently regulations have been instituted that require control of stormwater runoff and sediment discharge. Standard techniques are recommended for runoff, but methods for designing structures for sediment control are lacking.

The described work includes estimation of performance of sediment detention ponds, filter fences, and rock ditch checks. The performance of each control was simulated using a modified version of SEDIMOT II with South Carolina's specific conditions and compared with existing regulations in the state. From these simulations, design aids were developed that are consistent with the sediment performance standards required by the state regulations.

Effectiveness of control is commonly determined by either a water quality design standard or a performance standard. For sediment control, a water quality performance standard dictates a maximum acceptable level of sediment in the effluent. The control is designed such that this concentration is not exceeded. On the other hand, a water quality design standard establishes a standard pond design based on a given drainage area or similar criterion. There are obvious

---

<sup>1</sup> The Design Aids are provided "As Is" without warranty of any kind, either expressed or implied. In no event shall the authors or John C. Hayes and Associates be liable for any damages (incidental, consequential, or other), lost profits, or lost savings arising from the use or inability to use the methods presented.

benefits associated with each method. Performance standards offer site specific water quality control, but require considerable on-site collection of information for design purposes and are more difficult to review. Structures designed for performance standards have a higher design cost than structures designed for water quality design standards since estimation of effluent concentration is difficult and requires complex calculations. However construction costs tend to be considerably less, since design standards are inherently conservative. Design standards, on the other hand, are more easily employed and complied with. A preferable alternative to these methods is to provide a design procedure that meets a performance criteria without requiring excessive design costs. To achieve this, the design is typically expected to be slightly conservative, but considerably less conservative than if developed from a design standard.

A typical approach under the performance philosophy is to size a control to meet a water quality standard such as a total suspended solids (TSS) or settleable solids (SS) standard. Trapping efficiency can also be used, but this fails to account for incoming sediment concentration. Specific requirements for permanent stormwater management and sediment control plan approval shown in the S.C. Stormwater Management and Sediment Reduction Regulations include discharge rates and hydrographs for stormwater runoff. Additionally, sediment basins or other practices must be designed to meet a removal efficiency of 80 percent suspended solids or 0.5 ml/l peak settleable solids concentration from a 10-yr, 24-hr design storm.

### *Potential Benefits*

The intent of this work was to develop area specific design methods that give reasonable assurance that effluent meets desired sediment performance standards without the lengthy design process typically associated with designs developed to meet a performance standard. This approach benefits regulatory agencies and developers because the time required for design of controls for "typical" situations would be straightforward and minimized. Plan reviewers do not have to labor through detailed calculations. The use of area specific design methods provides a means of achieving sediment control without the steep learning curve associated with simulation techniques. This allows engineers to gradually gain experience and expertise in design of sediment controls. As reviewers and planners become more experienced with the procedures, they may move to modeling techniques or other methods. (For large scale developments or in sensitive areas, it is still anticipated that site specific data and other procedures such as modeling be used for detailed evaluation of sediment controls.) Adoption of area specific design techniques among state and local agencies helps to standardize use of the practices, reduce confusion, and promote adoption of design techniques.

### *Methodology*

The project began with site visits at numerous locations in each of the land resource areas of the state in order to see innovative methods, as well as areas needing improvement. Evaluation of existing modeling capabilities led to major revisions in the SEDIMOT II model



to allow evaluation of a wide range of sediment control technologies in a seamless manner. These modifications present South Carolina with the opportunity to have a major new tool in the analysis and design of stormwater and sediment control structures. Input data bases were generated for all major land resource regions and results from almost half a million runs of the model were used to develop the simple design aids.

The tour of South Carolina construction sites revealed that channel erosion was a significant problem in many watersheds, indicating a need for a channel erosion component to the model. The existing routine in SEDIMOT II allows only for deposition in channels, no erosion.

The tour of South Carolina also showed that filter fences were often not put on the contour, but were placed to allow flow to move along the fence to a low spot. This flow frequently caused significant erosion along the fence and undercutting of the fence, making the fence ineffective. It was postulated that a saw tooth type arrangement on the fence would prevent this erosion, but no method was available to predict the effectiveness of the fence under this condition. This required that a method be developed to determine the location of points where flow would move through the fence.

After investigating possibilities for modifying the existing routines in SEDIMOT II, it was determined that the inaccuracies in hydraulic routing when the pond routine is used for small structures and the lack of adequate sedimentation routines in the check dam routine meant that a major program modification was necessary. Because of the availability of a new hydraulic routine that is accurate over a wide range of structural sizes and types, it seemed prudent to make such a modification. The process used was to:

- ♦ Develop a common model for reservoir routing which utilizes continuous functions for discharge and stage storage rather than discrete stage points.
- ♦ Develop physically based and tested methodologies for predicting stage discharge relationships for commonly used sediment control structures.
- ♦ Combine these routines with the CSTRS routines used in SEDIMOT II.
- ♦ Modify the model to include channel erosion.
- ♦ Evaluate the effects of a saw tooth arrangement on filter fence effectiveness.

Each of these tasks has been accomplished and the results are a series of graphs that can be used as an aid for designing sediment control structures. It should be recognized that aids such as these are developed for typical conditions. Other methods should be used if the situation is environmentally sensitive or hazardous. In all cases, good engineering judgement should be considered as an essential ingredient in design.

### *Design Aids*

Each of the design aids will be briefly described and then examples will be used to demonstrate their use in realistic problems. The first aid (Figure 1) plots particle settling velocity as a function of eroded particle diameter. Each of the structures requires use of a reference settling velocity. The diameter that is referred to as  $D_{15}$  was chosen for the reference diameter. This diameter corresponds to a point on the eroded particle size distribution curve such that 15% of the particles (by weight) are equal to or smaller than this size. Personnel from the former S.C. Land Resources Commission have previously developed estimated eroded size distributions for South Carolina soils. The procedure used the primary particle size information reported by the Soil Conservation Service as part of county soil surveys. The information is now available from S. C. Department of Health and Environmental Control. By plotting "fraction finer than" versus "diameter,"  $D_{15}$  can be read. Once  $D_{15}$  is found, settling velocity can be read directly from Figure 1.

Figure 2 plots the ratio  $q_{po}/AV_{15}$  versus percentage of trapping efficiency. For ponds, the ratio is defined by

$$Ratio = \frac{q_{po}}{AV_{15}} \quad (1)$$

where  $q_{po}$  is peak outflow rate from the pond in cfs,  $A$  is the surface area of the pond at the riser crest in acres, and  $V_{15}$  is settling velocity, in fps, of the characteristic eroded particle corresponding to  $D_{15}$ . Upper limits on site conditions for ponds are included with Figure 2.

Two curves are presented. The curve shown as Figure 2a for soils including Piedmont, Sandhill, Coastal, and Tidal area soils, except as noted subsequently. For the Piedmont, Coastal, and Tidal areas, soils are classed as either coarse (sandy loam), medium (silt loam), or fine (clay loam). Sandhill soils include coarse (sand), medium (sandy loam), and fine (silt loam) because of the prevalent textures in this region. These classifications are summarized in Table 1. The line shown as Figure 2b is for tidal soils (sands and sandy loams that are classified in hydrologic soil group D because of high water table). The ratio should be less than or equal to the curve value at any given trapping efficiency. For example at 80% trapping efficiency, the ratio is equal to 2.2E5 for most soils as shown in Figure 2a. If the ratio  $q_{po}/AV_{15}$  intersects the curve at a point having a trapping efficiency less than the desired value, the design is inadequate and must be revised. Ratios above the design curves are not recommended for any of the design aids.

Table 1 Soil Groupings for Design Aids			
Land Resource Region	Coarse	Medium	Fine
Piedmont, Coastal and Tidal	Sandy Loam	Silt Loam	Clay Loam
Sand Hills	Sand	Sandy Loam	Silt Loam
Tidal (High Water Table)	Sandy Loam	Silt Loam	Clay Loam

The next design aid (Figure 3) is for rock ditch checks. Again there is a ratio plotted versus trapping efficiency. For rock ditch checks the ratio is calculated as

$$Ratio = \frac{Sq^{(1-b)}}{aV_{15}} \quad (2)$$

where S is the channel slope in percent, q is flow through the check in cfs/ft,  $V_{15}$  is the settling velocity, in fps, of the eroded  $D_{15}$  size particle in mm, and a and b are coefficients. Figure 3 also contains upper limits for site conditions appropriate for the design aid.

The ratio is calculated using the curves developed in Haan et al. (1994)<sup>2</sup> to obtain the coefficients a and b. The three plots shown as Figure 3a, 3b, and 3c correspond to fine, medium, and coarse textures, respectively. Please refer to Table 1 for determination of which line to use for a particular soil. As indicated by the note in the gray area above the lines, values of the ratio in Figure 3 should be equal to or less than the curve values.

The design aid shown as Figure 4 corresponds to silt fence placed in an area downslope from a disturbed area where it serves to retard flow and cause settling. Two conditions must be met in order to have a satisfactory design.

1. Trapping efficiency must meet the desired level of control.
2. Overtopping of the structure must not occur, since failure is likely if it does occur.

As with any structure, the design should recognize that longterm maintenance is necessary. The fence design aid contains a single line that is appropriate for all soil textures as shown in Figure 4. Again the ratio is plotted versus trapping efficiency. For the silt fence, the ratio is calculated as

$$Ratio = \frac{Q_{po}}{V_{15}P_{area}} \quad (3)$$

<sup>2</sup> Haan, C.T., B.J. Barfield, and J.C. Hayes. 1994. *Hydrology and Sedimentology of Small Catchments*. Academic Press. San Diego, CA.

where  $q_{po}$  is peak outflow through the fence in cfs,  $V_{15}$  is settling velocity, in fps, of the eroded  $D_{15}$  size particle, and  $P_{area}$  is the potential ponding area upslope of the fence in  $ft^2$ . Figure 4 includes a listing of upper limits for the site conditions for the fence design aid.

The ponded area can be estimated by reducing the height of the fence by 1.0 ft (to allow for burying 0.5 ft and 0.5 ft for freeboard). Use the remaining height to find the distance of a horizontal line extending from the fence top to its intersection with the ground surface up slope of the fence (should be equal to the ground slope times the fence height). Multiply this distance by the available width for ponding to obtain the potential ponding area. As for other structures, the final filter fence ratio value should be less than or equal to the line value for a specified trapping efficiency.

### *Estimating $V_{15}$*

A common feature of each of the design aids is that a characteristic settling velocity for the eroded soil must be obtained. For these design aids, the characteristic settling velocity required corresponds to an eroded size such that 15% of the sediment has particles smaller than the size specified. A diskette containing acceptable eroded size distributions for South Carolina soils is available from the South Carolina Department of Health and Environmental Control. The user should recognize that eroded size distributions used in sediment control design are frequently quite different from primary size distributions that are often determined for other construction purposes. The user should note that  $D_{15}$  is often smaller for coarse textured (more sandy) because of the reduced clay content and the lack of aggregation.

### *Example Problems*

The example problems serve to illustrate the use of the design aids for calculation of trapping efficiency for various types of structures. Basic soils, hydrologic, and hydraulic information are combined. Methods as required by Standards for Stormwater Management and Sediment Reduction (72-300) may be used to estimate the peak flows. Site specific soils information can generally be found from county soil surveys. Hydraulic information is obtained by combining site and structural information.

In all cases, a ratio is calculated. The ratio is used to locate the point on a turning line for the specified conditions and structure. Trapping efficiency is then found by turning to the x-axis and estimating trapping efficiency. The design aids are intended to be slightly conservative, but use of the design aids should not override use of good engineering judgement. Questionable results should be investigated by the engineer. In addition, the engineer should consider installation and maintenance of all structures. For example, it may be appropriate to add baffling to a pond in order to prevent short circuiting between the inflow and outflow locations.

The user should recognize that the intent of the design aids is to provide an estimate of trapping efficiencies for "typical" structures. Extreme or critical situations necessitate that

more detailed analyses be conducted. For example, sensitive areas in steep terrain would be an example of an extreme situation. Additionally, it is not the intent of this document to present detailed descriptions of hydrologic or hydraulic methods.

Design techniques can best be illustrated by following the steps shown in the following examples.

#### **Example Problem 1 - Sediment Pond.**

A sediment pond is to be constructed on a 30-acre commercial site in Richland County, SC. The following information is available for the site based on soil, hydrologic, and hydraulic conditions.

The eroded size distribution is for a coarse soil (Pelion and Fuquay mix) with  $D_{15}$  equal to 0.024 mm.

Peak outflow from the pond cannot exceed 11.2 cfs.

Allowable surface area of the pond at the riser crest is 1.67 ac.

Determine whether the sediment pond is adequately sized for satisfactory trapping.

#### **Solution:**

##### **Steps**

1. Go to Figure 1 with  $D_{15} = 0.024$  mm and determine settling velocity  $V_{15} = 0.001$  fps.
2. Calculate the ratio  $q_{po}/AV_{15} = 11.2/(1.67)(0.001) = 6700 = 6.7E3$
3. Enter Figure 2a on y-axis with ratio = 6.7E3, go to line and turn to x-axis to read trapping efficiency.
4. Trapping efficiency is approximately equal to 92%, therefore okay.

#### **Example Problem 2 - Sediment Pond.**

A sediment pond is to be constructed in a tidal area having a high water table. The following information is available for the site near the coast.

The eroded size distribution is for a coarse soil with  $D_{15}$  equal to 0.04 mm.

Peak outflow from the pond is 10 cfs.

Allowable surface area of the pond is 0.25 ac.

Determine whether the structure will provide at least 80% trapping.

**Solution:****Steps**

1. Go to Figure 1 with  $D_{15} = 0.04$  mm and determine settling velocity  $V_{15} = 0.004$  fps.
2. Calculate the ratio  $q_{po}/AV_{15} = 10/(0.25)(0.004) = 10,000 = 1.0E4$
3. Enter Figure 2b (since high water table) on y-axis with ratio =  $1.0E4$ , go to line and turn to x-axis to read trapping efficiency.
4. Trapping efficiency is approximately equal to 77%, therefore a larger pond is required if it is desired to have a trapping efficiency of at least 80%.
5. Assume that surface area can be increased to 0.67 ac, calculate the ratio  $q_{po}/AV_{15} = 10/(0.67)(0.004) = 3700 = 3.7E3$ .
6. Reading the trapping efficiency from Figure 2b using this value yields a trapping efficiency of 81%, which is okay. (Note: If there had been no high water table, Figure 2a would be used, and the smaller pond area would be sufficient.)

**Example Problem 3 - Rock Ditch Check**

Estimate the trapping efficiency of a rock ditch check to be installed in a Piedmont channel draining a clay loam soil. The following information is available based on soil, hydrologic, and hydraulic conditions.

The eroded size distribution is for a fine soil with  $D_{15}$  equal to 0.0042 mm.  
 Peak outflow from the ditch check is 0.211 cfs with an average width (perpendicular to flow) of 7.4 ft and a flow length through the check of 6 ft (refer to Haan et al., 1994, page 151 for procedures to calculate flow through a ditch check).  
 Rock diameter is 0.10 ft.  
 Slope of the channel is 0.5%.

**Solution:****Steps**

1. Go to Figure 1 with  $D_{15} = 0.0042$  mm and determine settling velocity  $V_{15} = 3E-5$  fps.
2. Before proceeding further, the flow rate must be converted to a flow per foot width. Thus divide 0.211 cfs by the width of 7.4 ft to obtain a  $q = 0.028$  cfs/ft.

Appropriate values of the coefficients  $a$  and  $b$  can be obtained from Haan, et al. (1994) based on the rock diameter and the average flow length through the check. For this example, the appropriate values can be read using the rock diameter equal to 0.03 m and flow length equal to 6 ft to obtain  $a = 3.05$  and  $b = 0.66$ .

Substitute all values and calculate the ratio

$$Sq^{(1-b)}/aV_{15} = (0.5)(0.028^{(1-0.66)})/(3.05)(3E-5) = 1620 = 1.62E3$$

3. Enter Figure 3a on y-axis with ratio = 1.6E3, go to line and turn to x-axis to read trapping efficiency.
4. Trapping efficiency is greater than 95%, therefore okay.

#### Example Problem 4 - Rock Ditch Check

A rock ditch check is to be installed at a Coastal Plains site having a sandy loam soil. For comparison, hydrologic and hydraulic conditions as used in Example Problem 3 will be used.

The eroded size distribution is for a fine soil with  $D_{15}$  equal to 0.04 mm.  
 Peak outflow from the ditch check is 0.211 cfs with an average width (perpendicular to flow) of 7.4 ft and a flow length through the check of 6 ft.  
 Rock diameter is 0.10 ft.  
 Slope of the channel is 0.5%.

Determine whether the ditch check will exceed 80% trapping efficiency for the conditions indicated.

#### **Solution:**

##### Steps

1. Go to Figure 1 with  $D_{15} = 0.04$  mm and determine settling velocity  $V_{15} = 2.8E-3$  fps.
2. Before proceeding further, the flow rate must be converted to a flow per foot width. Thus divide 0.211 cfs by the width of 7.4 ft to obtain a  $q = 0.028$  cfs/ft.

Since the same conditions were used, values of the coefficients  $a$  and  $b$  are as found in Example Problem 3 so that  $a = 3.05$  and  $b = 0.66$ .

Substitute all values and calculate the ratio

$$Sq^{(1-b)}/aV_{15} = (0.5)(0.028^{(1-0.66)})/(3.05)(2.8E-3) = 17$$

3. Enter Figure 3c on y-axis with ratio = 17 and go to line. Note that since the value falls BELOW the line, the trapping efficiency exceeds 95%.
4. Trapping efficiency is greater than 95%, therefore okay.

#### Example Problem 5 - Rock Ditch Check

A rock ditch check is to be installed in a channel draining highway construction on a sandy loam soil in the Coastal Plains. The following information is available based on soil, hydrologic, and hydraulic conditions.

The eroded size distribution is for a fine soil with  $D_{15}$  equal to 0.04 mm.  
 Peak outflow from the ditch check is 2.0 cfs with an average width (perpendicular to

flow) of 4.4 ft and a flow length through the check of 6 ft.

Rock diameter is 0.10 ft.

Slope of the channel is 1.0%.

Determine the trapping efficiency under the specified conditions.

**Solution:**

**Steps**

1. Go to Figure 1 with  $D_{15} = 0.04$  mm and determine settling velocity  $V_{15} = 2.8E-3$  fps.
2. Before proceeding further, the flow rate must be converted to a flow per foot width. Thus divide 2.0 cfs by the width of 4.4 ft to obtain a  $q = 0.45$  cfs/ft.

Appropriate values of the coefficients  $a$  and  $b$  can be obtained from Haan, et al. (1994) based on the rock diameter and the average flow length through the check. For this example, the appropriate values can be read using the rock diameter equal to 0.03 m and flow length equal to 6 ft to obtain  $a = 3.05$  and  $b = 0.66$ . Substitute all values and calculate the ratio

$$Sq^{(1-b)}/aV_{15} = (1.0)(0.45^{(1-0.66)})/(3.05)(2.8E-3) = 90$$

3. Enter Figure 3a on y-axis with ratio = 90, go to line and turn to x-axis to read trapping efficiency.
4. Trapping efficiency is greater than 95%, therefore okay..

**Example Problem 6 - Filter Fence at Toe of Slope.**

A wire-backed silt fence is to be built from fabric which is 3 ft wide. the installation is to be at the toe of a slope which drains highway construction in the Piedmont. The following information is available based on soil, hydrologic, and hydraulic conditions at the site.

The eroded size distribution is for a fine soil with  $D_{15}$  equal to 0.0042 mm.

Peak outflow from the up slope area is 1.9 cfs.

The potential area for impoundment up slope of the fence is 0.116 ac. (5050 ft<sup>2</sup>).

Freeboard allowance and installation will reduce the usable height of the fence from 3 ft to 2 ft.

The potential length of filter fence along the toe of the slope is 60 ft.

Determine whether the fence will carry this flow with a trapping efficiency of at least 80% without overtopping.

**Solution:**

**Steps**

1. Go to Figure 1 with  $D_{15} = 0.0042$  mm and determine settling velocity  $V_{15} = 3E-5$  fps.



2. Calculate the ratio  $q_{po}/V_s P_{area} = 1.9/(3E-5)(5050) = 12.5$ .
3. Reading the trapping efficiency from Figure 4 with the ratio equal to 12.5 finds that the trapping efficiency is approximately 55% -- hence the fence is inadequate.

### **Example Problem 7 - Filter Fence at Toe of Slope.**

Reconsider the situation described in example problem 6 with the only difference being that the  $D_{15}$  is 0.04 mm. Determine whether the fence will carry this flow with a trapping efficiency of at least 80% without overtopping.

#### **Solution:**

#### **Steps**

1. As seen previously,  $V_{15}$  equals  $2.8E-3$  fps for this size particle.
2. Calculate the ratio  $q_{po}/V_s P_{area} = 1.9/(2.8E-3)(5050) = 0.13$
3. Reading the trapping efficiency from Figure 4 with the ratio equal to 0.13 finds that the trapping efficiency is approximately 82% -- hence the fence is adequate from the standpoint of trapping efficiency.
4. The length of fence required to pass the peak flow without overtopping can be found by comparing the peak flow per foot width with the slurry flow rate of the fabric. Haan, et al. (1994, Table 9.11 and 9.12) contains slurry flow rates for a variety of fabrics. A reasonable value for filter fence is  $10 \text{ gpm/ft}^2$ .
5. Convert the peak flow to gpm so that  

$$q_{po} = (1.9 \text{ ft}^3/\text{sec})(7.48 \text{ gal/ft}^3)(60 \text{ sec/min}) = 853 \text{ gpm}$$
6. The required length of fabric to carry this flow can now be found by dividing the peak flow rate by the effective height (2 ft since 1 ft is lost because of installation) and the slurry flow rate. Hence, the length of fence required to carry the peak flow without overtopping is

$$L = 853/(2)(10) = 43 \text{ ft}$$

Since 43 ft is less than the 60 ft available, the fence will perform adequately.

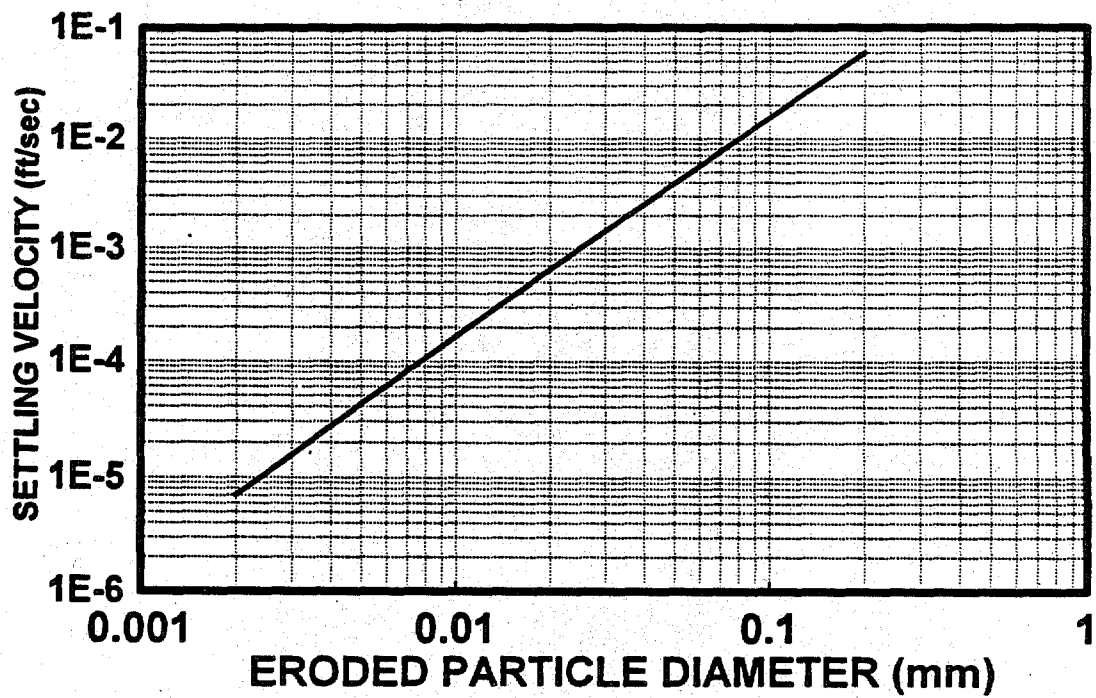


Figure 1. Settling velocity as a function of eroded particle diameter.

LIMITS ON VALUES FOR PONDS
watershed area $\leq 30$ acres
overland slope $\leq 20\%$
outlet diameter $\leq 6$ ft

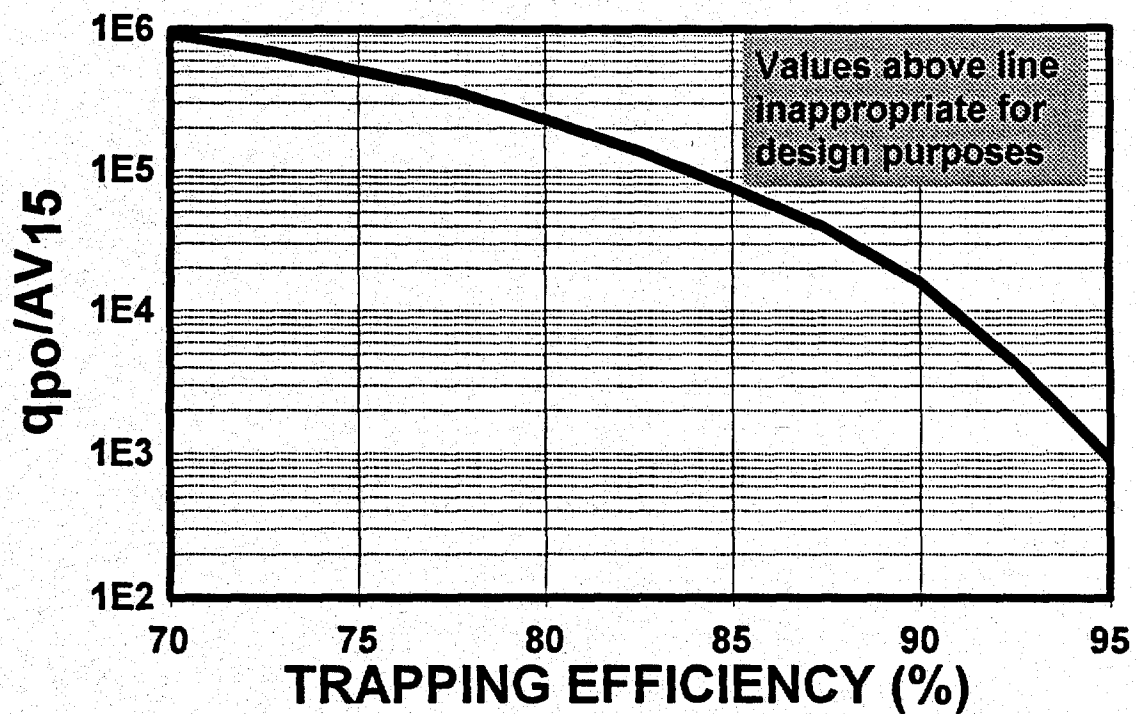


Figure 2a. Design aid for trapping efficiency of ponds not located in low-lying areas with high water tables.

LIMITS ON VALUES FOR PONDS
watershed area $\leq 30$ acres
overland slope $\leq 20\%$
outlet diameter $\leq 6$ ft

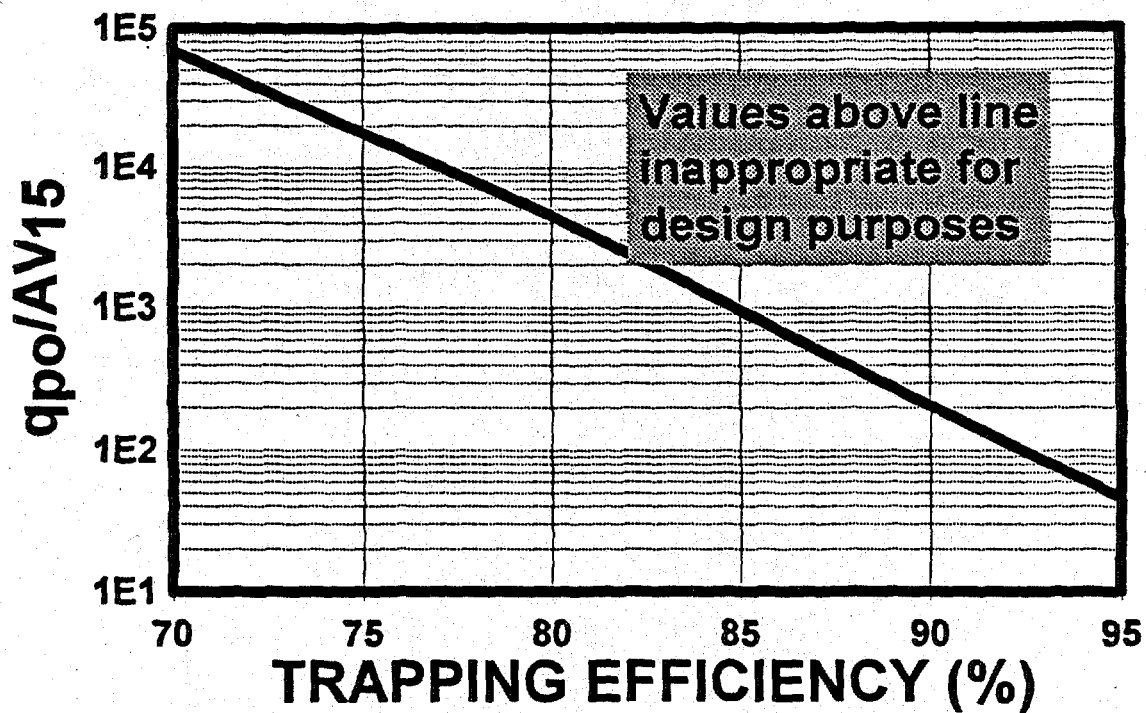


Figure 2b. Design aid for estimating trapping efficiency of ponds located in low-lying areas having high water tables..

LIMITS ON VALUES FOR CHECKS
watershed areas $\leq 5$ acres
overland flow length $\leq 500$ ft
overland slope $\leq 15\%$
maximum depth $\leq 6$ ft

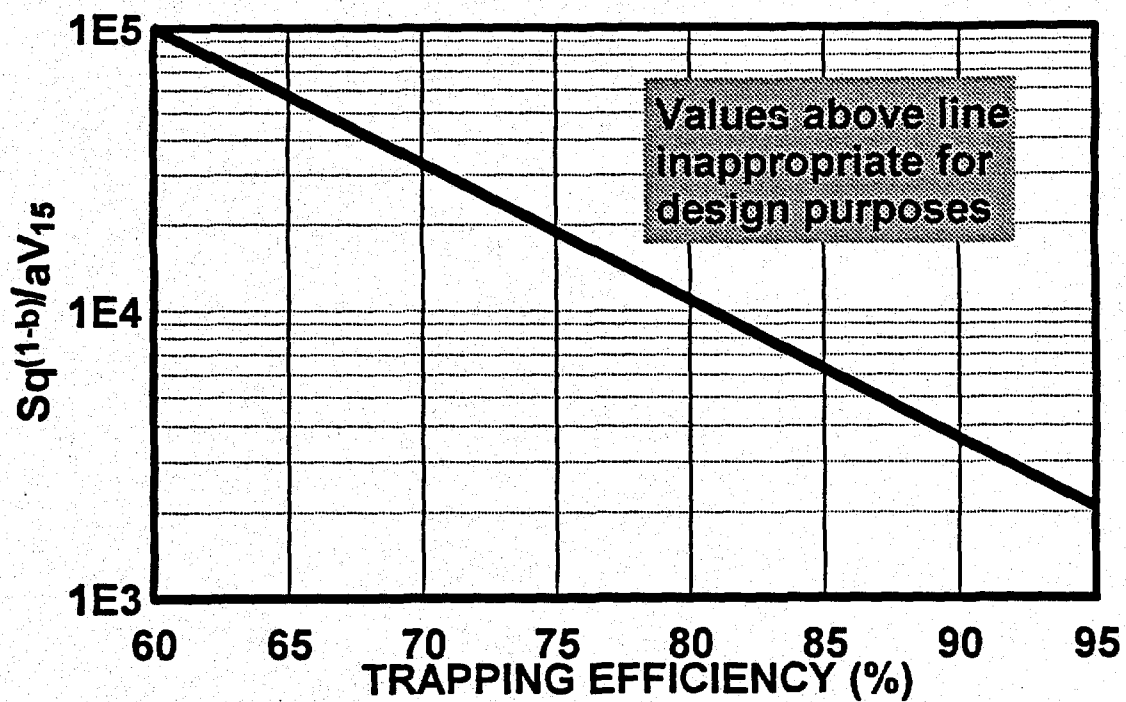


Figure 3a. Design aid for estimating trapping efficiency of rock ditch checks with fine texture soils.

LIMITS ON VALUES FOR CHECKS
watershed areas $\leq 5$ acres
overland flow length $\leq 500$ ft
overland slope $\leq 15\%$
maximum depth $\leq 6$ ft

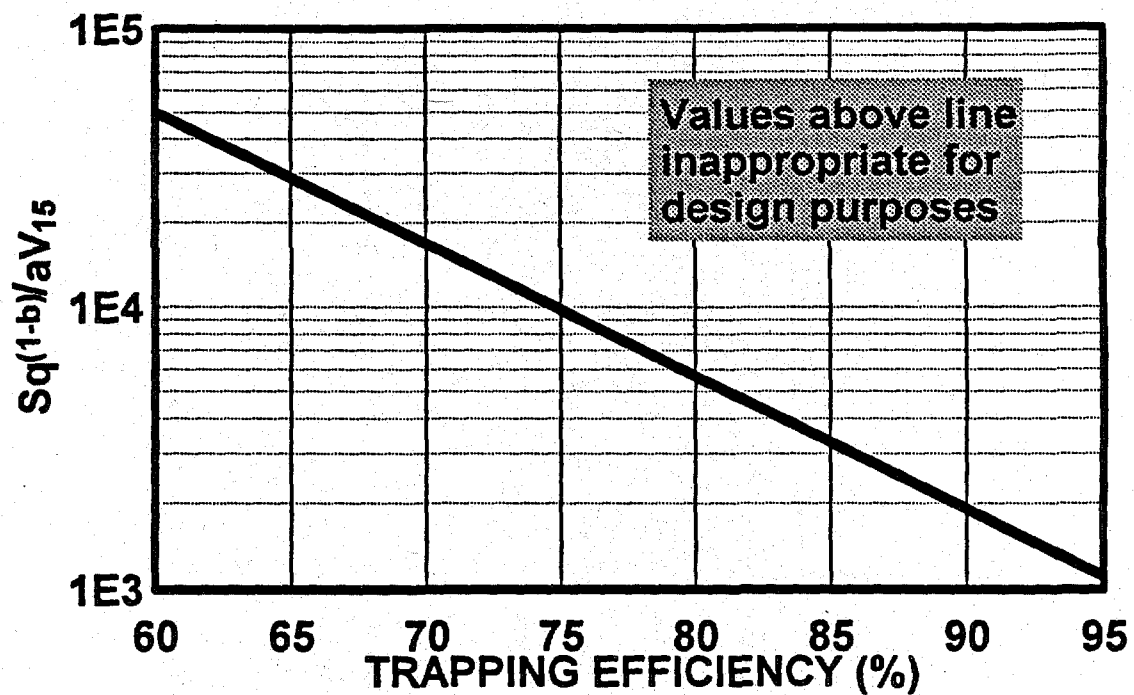


Figure 3b. Design aid for estimating trapping efficiency of rock ditch checks with medium texture soils.

LIMITS ON VALUES FOR CHECKS
watershed areas $\leq 5$ acres
overland flow length $\leq 500$ ft
overland slope $\leq 15\%$
maximum depth $\leq 6$ ft

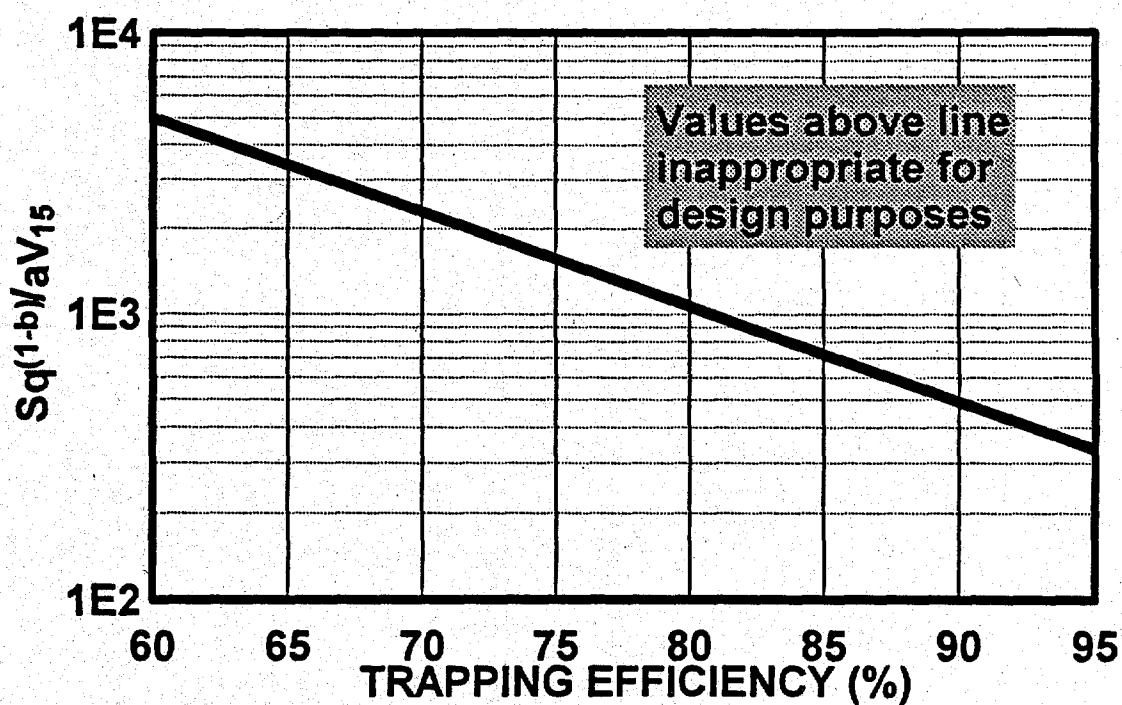


Figure 3c. Design aid for estimating trapping efficiency of rock ditch checks with coarse texture soils.

LIMITS ON VALUES FOR FENCE
watershed area $\leq 5$ acres
overland flow length $\leq 500$ ft
overland slope $\leq 6\%$
slurry flow rate $\leq 10$ gpm/ft <sup>2</sup>
maximum height $\leq 3$ ft

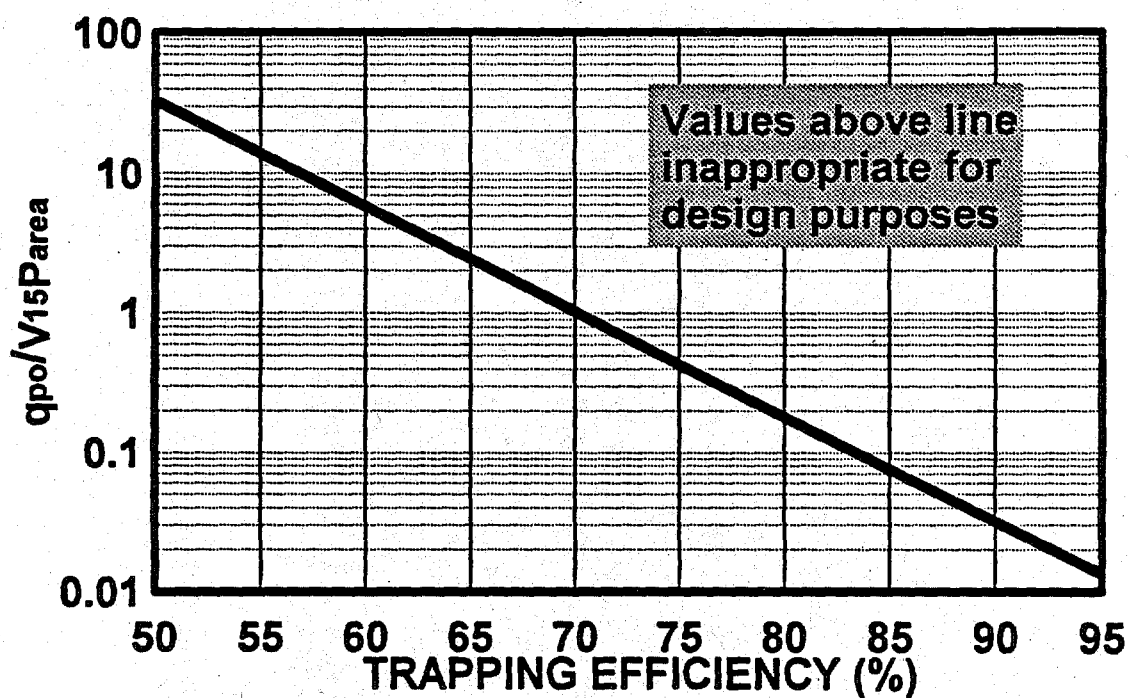


Figure 4. Design aid for estimating trapping efficiency of silt fence.



## **APPENDIX H**

### **RAINFALL DATA FOR SOUTH CAROLINA**

## South Carolina Rainfall Data

COUNTY NAME	RETURN PERIOD 24 HOUR STORM EVENT (INCHES)							R Factors
	1	2	5	10	25	50	100	
Abbeville	3.2	3.7	4.8	5.7	6.5	7.0	8.0	250
Aiken	3.2	3.7	4.9	5.8	6.7	7.3	8.0	250
Allendale	3.4	3.9	5.1	6.0	6.9	7.8	8.5	300
Anderson	3.3	4.0	5.2	5.9	6.7	7.5	8.0	275
Bamberg	3.4	3.9	5.2	6.0	6.9	7.8	8.5	300
Barnwell	3.3	3.9	5.1	5.9	6.9	7.7	8.2	275
Beaufort	3.7	4.5	5.9	6.8	7.8	8.8	10.0	400
Berkeley (North)	3.5	4.2	5.5	6.4	7.3	8.2	9.3	350
Berkeley (South)	3.6	4.4	5.7	6.7	7.6	8.5	9.8	350
Calhoun	3.3	3.8	5.0	5.9	6.7	7.5	8.2	275
Charleston	3.8	4.6	5.9	6.8	7.8	8.8	10.0	400
Cherokee	3.0	3.5	4.5	5.0	6.0	6.7	7.0	275
Chester	2.9	3.5	4.5	5.1	6.0	6.8	7.3	250
Chesterfield	3.1	3.7	4.8	5.5	6.3	7.2	7.9	275
Clarendon	3.4	4.0	5.1	6.0	6.9	7.8	8.7	300
Colleton (North)	3.5	4.2	5.4	6.3	7.2	8.0	9.1	350
Colleton (South)	3.6	4.4	5.7	6.7	7.7	8.5	9.6	350
Darlington	3.2	3.8	5.0	5.7	6.5	7.5	8.3	300
Dillon	3.3	3.9	5.2	5.9	6.8	7.8	8.6	325
Dorchester (North)	3.4	4.2	5.4	6.3	7.2	8.0	9.1	325
Dorchester (South)	3.6	4.4	5.7	6.7	7.6	8.5	9.6	325
Edgefield	3.2	3.7	4.7	5.7	6.5	7.1	7.9	250
Fairfield	3.0	3.5	4.5	5.3	6.1	6.9	7.6	250
Florence	3.3	4.0	5.2	6.0	6.8	7.8	8.8	325
Georgetown	3.6	4.5	5.7	6.7	7.7	8.7	9.8	350
Greenville (North)	4.0	5.0	5.8	6.1	7.3	8.2	8.8	300
Greenville (South)	3.4	4.0	5.0	5.7	6.6	7.3	8.0	300
Greenwood	3.1	3.7	4.7	5.6	6.4	7.0	7.8	250
Hampton	3.4	4.1	5.4	6.3	7.2	8.0	8.9	325
Horry (North)	3.4	4.0	5.4	6.3	7.3	8.2	9.3	350
Horry (South)	3.6	4.5	5.6	6.7	7.6	8.6	9.7	350
Jasper	3.5	4.3	5.7	6.7	7.6	8.3	9.3	350
Kershaw	3.1	3.7	4.7	5.5	6.3	7.2	7.9	275
Lancaster	3.0	3.6	4.6	5.3	6.1	7.0	7.6	250
Laurens	3.1	3.7	4.7	5.5	6.2	7.0	7.7	250
Lee	3.2	3.8	5.0	5.7	6.5	7.5	8.3	275
Lexington	3.1	3.7	4.8	5.6	6.5	7.2	7.9	250
Marion (North)	3.3	3.9	5.3	6.0	6.9	7.8	8.8	325
Marion (South)	3.4	4.2	5.4	6.3	7.2	8.2	9.2	325
Marlboro	3.2	3.8	4.9	5.7	6.6	7.6	8.2	300
McCormick	3.2	3.7	4.8	5.7	6.5	7.0	7.5	250
Newberry	3.0	3.6	4.5	5.4	6.1	7.0	7.5	250
Oconee (North)	4.5	5.3	7.0	8.0	9.1	9.8	11.0	300
Oconee (South)	3.5	4.6	5.8	6.5	7.5	8.0	9.0	300
Orangeburg	3.3	3.9	5.2	6.0	6.8	7.7	8.5	275
Pickens (North)	4.2	5.3	6.8	7.2	8.7	9.0	10.4	300
Pickens (South)	3.7	4.7	5.8	6.3	7.5	8.3	9.2	300
Richland	3.1	3.7	4.8	5.7	6.4	7.3	7.9	275
Saluda	3.1	3.7	4.7	5.7	6.4	7.3	7.9	250
Spartanburg NE	Suggest use of National Weather Bureau Publication Technical Paper 40. Rainfall data in this area must be predicted carefully.							
Spartanburg NW								
Spartanburg SE								
Spartanburg SW								
Sumter	3.2	3.8	5.0	5.8	6.6	7.6	8.3	275
Union	3.0	3.5	4.5	5.1	6.0	6.8	7.4	250
Williamsburg	3.4	3.5	5.4	6.3	7.2	8.1	9.2	325
York	2.8	3.5	4.5	5.0	6.0	6.7	7.0	250

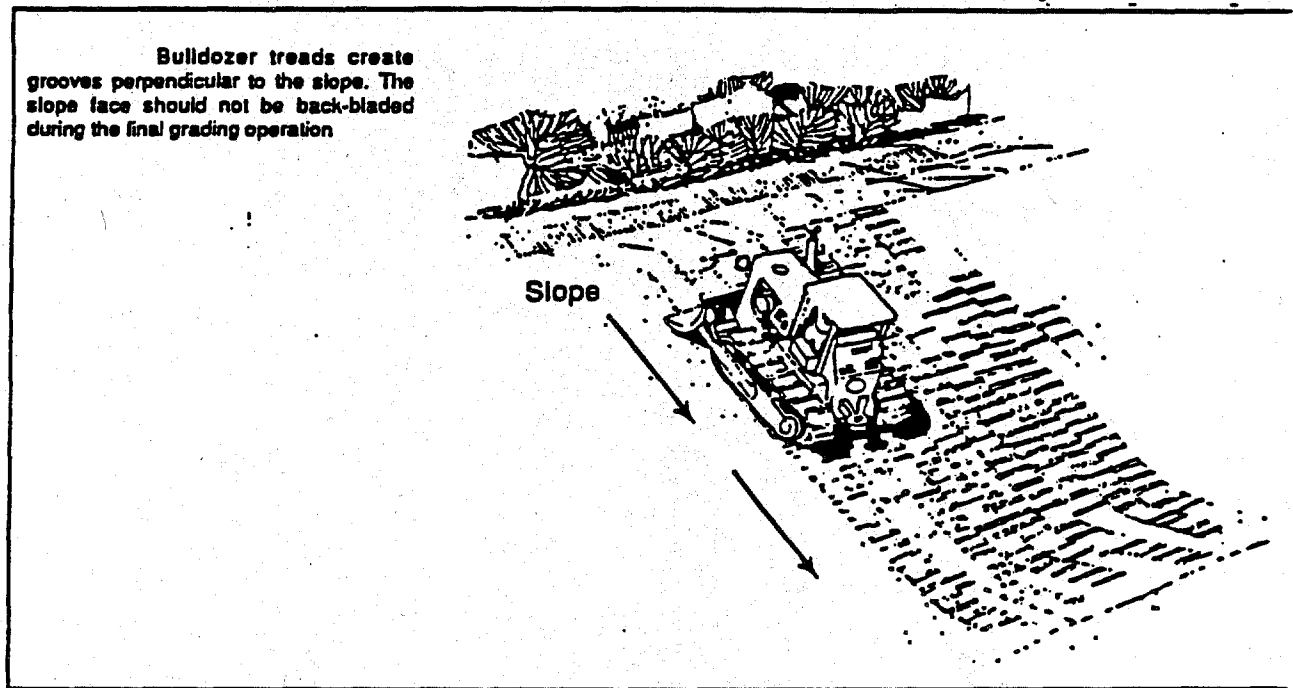


**APPENDIX I**

**SAMPLE STORMWATER MANAGEMENT AND SEDIMENT**

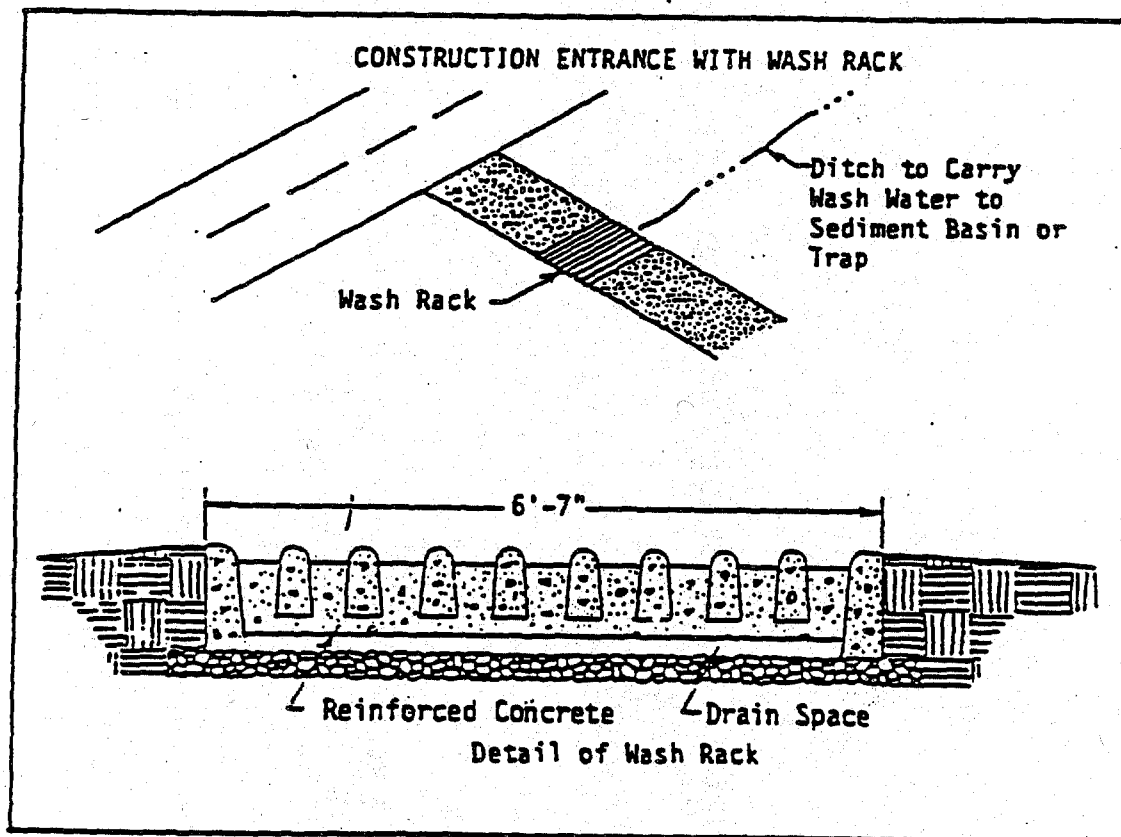
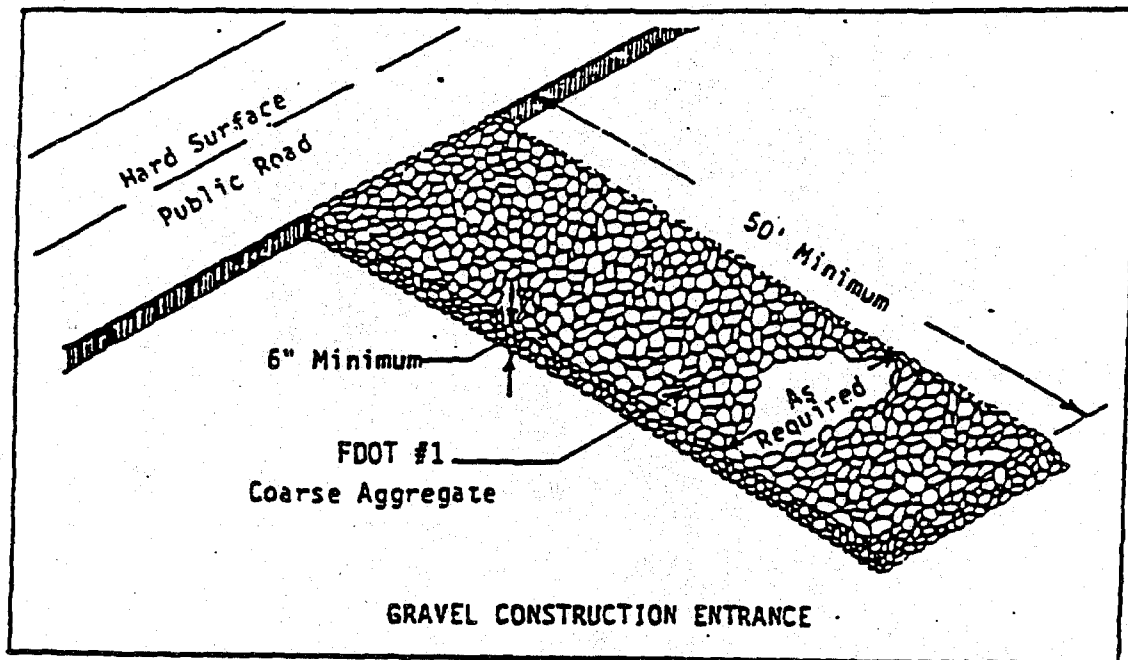
**REDUCTION BEST MANAGEMENT PRACTICES**

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
<b>SEDIMENT CONTROL PRACTICES</b>					
Surface Roughening  Figure 1	Horizontal grooves across bare slopes, stair stepping, or tracking bare soil with construction equipment	Aids establishment of vegetation, reduces runoff velocity and erosion, and increases infiltration	All bare soil; all slopes- especially those steeper than 3:1	Method for surface roughening based on slope steepness, mowing requirements, and whether slope formed by cutting and filling	No formal design is necessary
Top Soiling	Using topsoil to enhance final stabilization of site with vegetation	Provides suitable growth medium for vegetation	May be used in areas where existing soil is not suitable for vegetation	Topsoil stockpiles should be protected from erosion and contamination	No design criteria is necessary
Mulching	Use of a protective blanket of straw, plant residue, gravel or synthetic material on soil surface	To protect soil surface from forces of raindrop impacts, overland or sheet water flow	May be used on beds for temporary or permanent seeding and on areas of bare soil when seeding or planting must be delayed	Avoid organic mulch that may contain weed seeds  Choice of mulch should be based on season, type of vegetation, soil condition, and size of area	Organic mulches are most effective when uniformly spread and secured to the soil structure



**Figure 1. Surface Roughening**

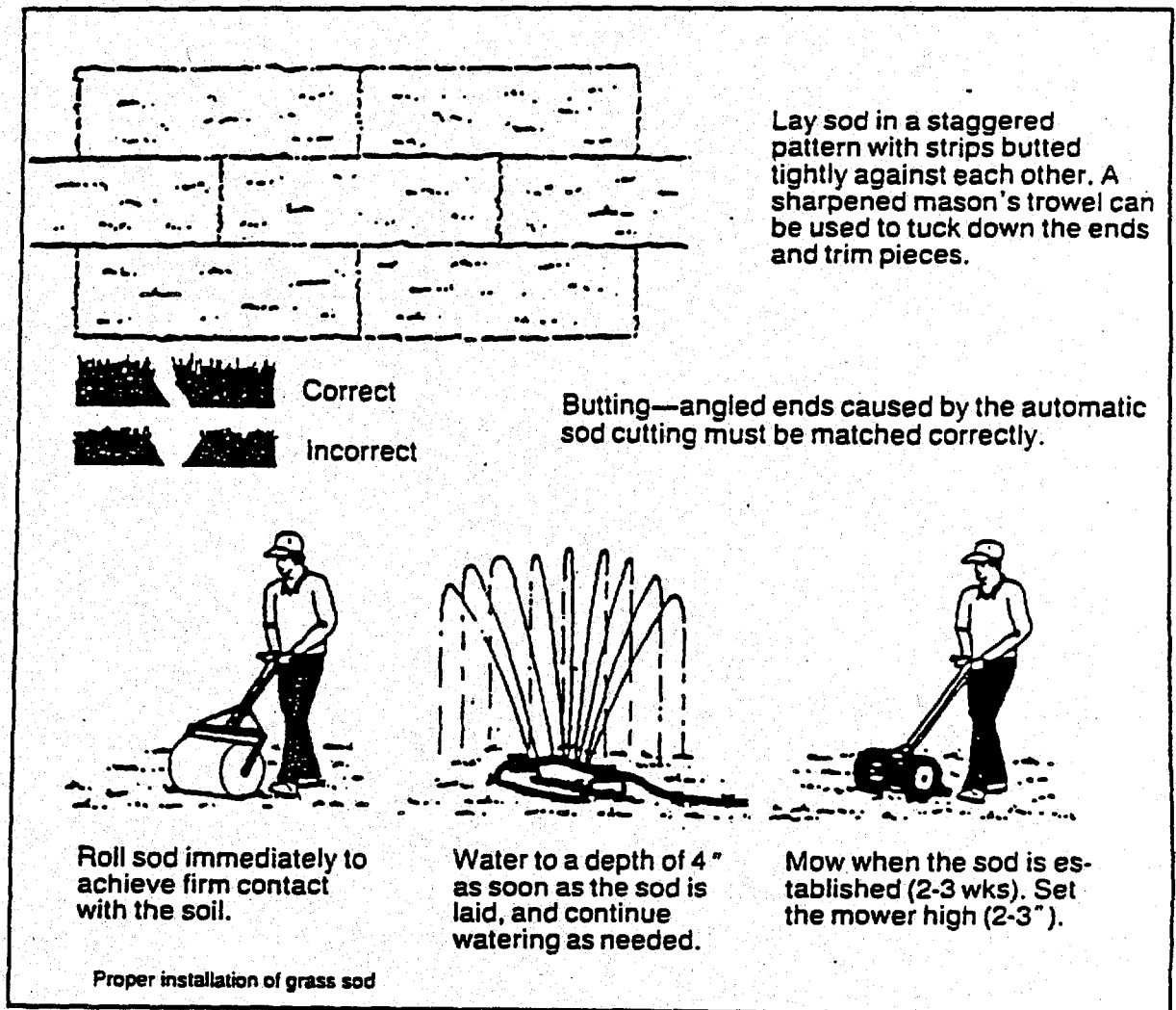
<b>BMP</b>	<b>DEFINITION</b>	<b>PURPOSE</b>	<b>WHERE APPLICABLE</b>	<b>PLANNING CONSIDERATION</b>	<b>DESIGN CRITERIA</b>
Temporary Graveled Construction Site Entrance/Exit  Figure 2	A gravel driveway or pad located at a point where vehicles enter and exit a construction site	Provides a suitable location for vehicles to drop mud and sediment before entering public roads; controls erosion from surface runoff and to help control dust	May be used wherever traffic leaves a construction site and enters a public road or other paved areas	Construction plans should limit traffic to properly constructed entrances to the site	Aggregate Size: 2"-3" washed stone Pad Thickness: 6" minimum Pad Widths: 12' minimum Pad Length: 50' minimum
Temporary Seeding	Planting fast-growing vegetation to provide temporary erosion control	To provide stabilization of bare soil areas that will not be brought to final grade for a period of more than 30 working days	May be used on cleared, unvegetated areas where temporary erosion control is needed	Selection of appropriate plant species, use of quality seed, and proper bed preparation are important	No design criteria is necessary
Permanent Seeding	Control of runoff and erosion with permanent vegetation	To economically control erosion and sedimentation	May be used in fine-graded areas	Planting should occur within 30 working days or 120 calendar days of final grade  Same as for temporary seeding	No design criteria is necessary
Sodding  Figure 3	Use of grass sod to permanently stabilize an area	To rapidly prevent erosion and sedimentation	May be used in areas requiring immediate and permanent vegetative cover	More costly than seeding, but can be established during times of year when grass seed may fail	On slopes, sod should be applied with longest dimension perpendicular to slope



**Figure 2. Temporary Construction Entrance**

Source: Storm Water and Erosion and Sediment Control Best Management Practices for Developing Areas. Florida

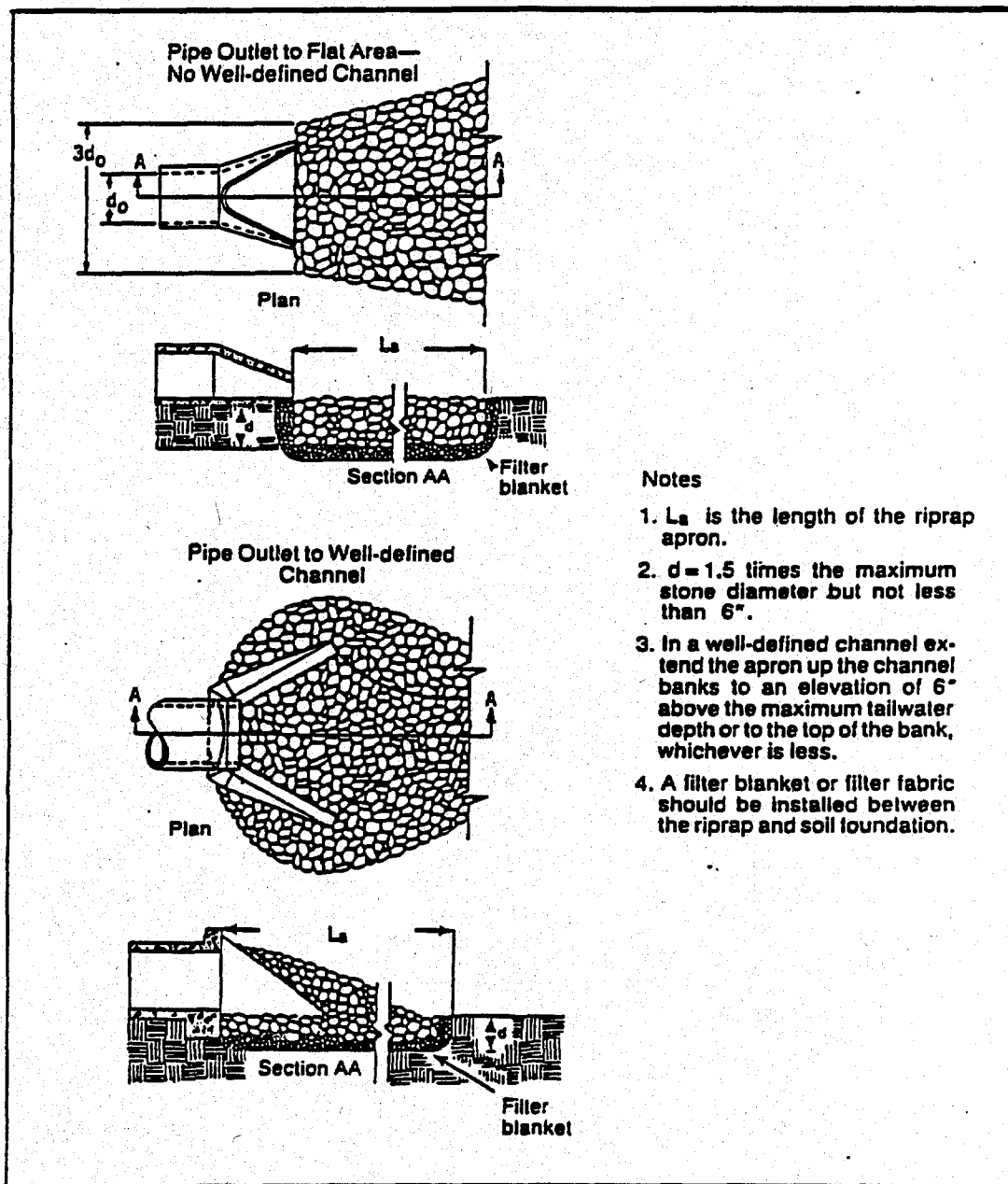




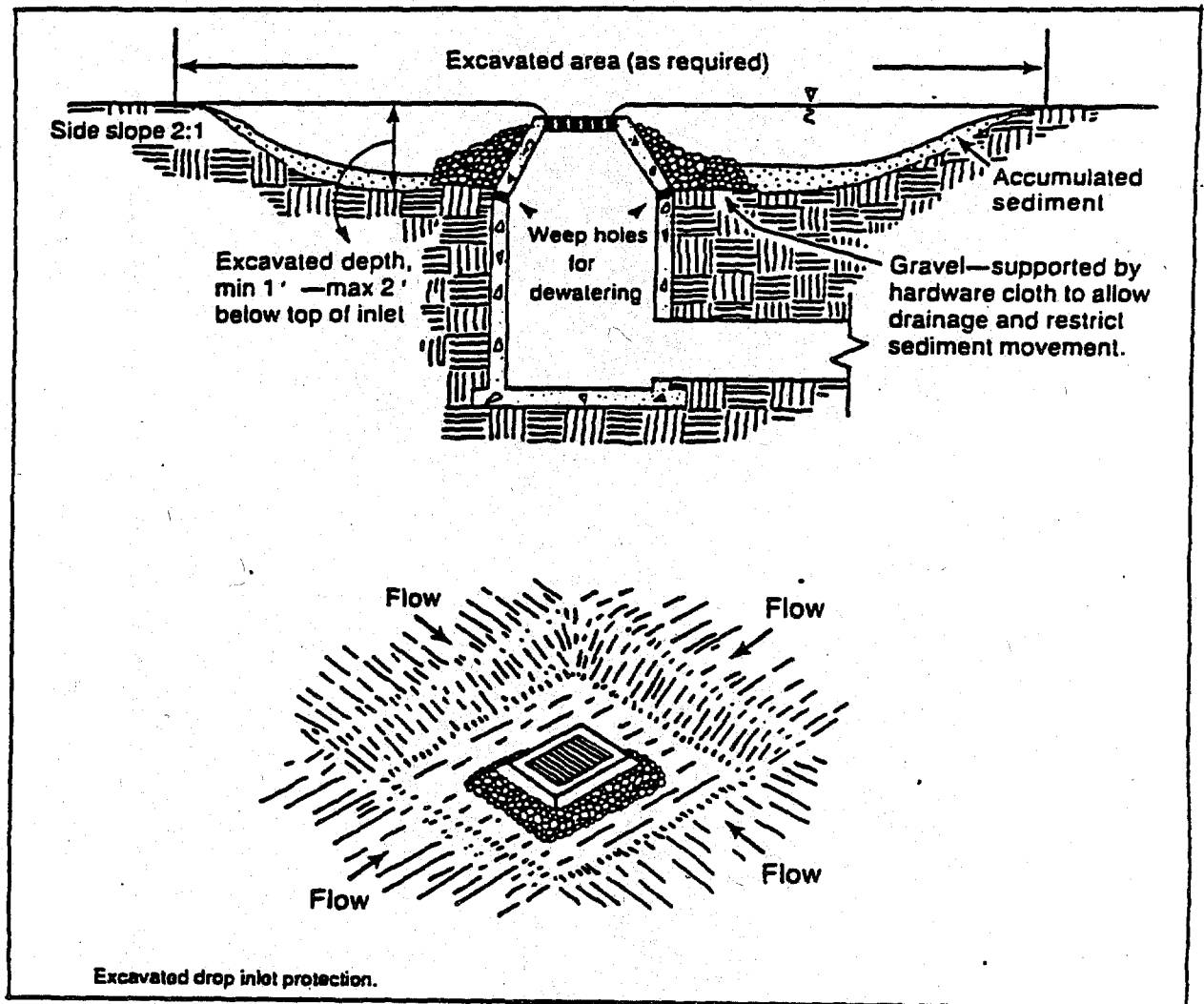
**Figure 3. Sodding**

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
<p>Outlet Stabilization Structure</p> <p>Figure 4</p>	Structure designed to control erosion at the outlet of a channel or conduit	To prevent erosion by reducing water velocity from the outlet of a channel or conduit	May be used at locations where water velocity from a conduit, channel, pipe, diversion, etc. exceeds permissible velocity of the receiving channel or disposal area	Riprap aprons are relatively low cost and easy to install Riprap stilling basins or plunge pools are used where overfalls exit the ends of pipes or where high flow would require excessive apron lengths	Capacity: 10 year peak runoff or design discharge of conveyance - whichever is greatest
<p>Excavated Drop Inlet Protection (Temporary)</p> <p>Figure 5</p>	An excavated area in the approach to a storm drain drop inlet or curb inlet	To trap sediment at the approach to a storm water drainage system	May be used where relatively heavy storm water flows are expected and overflow capability is needed	Frequent maintenance is required Temporary flooding of the excavated area is expected	Drainage Area: 1 acre Shape basin to fit site conditions; orient longest dimension toward longest inflow area Maintain side slopes no greater than 2:1 (50%)
<p>Fabric Drop Inlet Protection (Temporary)</p> <p>Figure 6</p>	Temporary fabric barrier placed around a drop inlet	To prevent sediment from entering the storm drain during construction activities; allows early use of storm drain	May be used where storm drains inlets are to be operational before permanent stabilization of the drainage area occurs. This method is used where inlet drains a nearly level area with slopes less than 5%	This method must not be used near the edge of fill material and must not divert water over cut or fill slopes	Drainage Area: Not greater than 1 acre unless site conditions allow for frequent removal of sediment Height of Barrier: At least 12" - but no greater than 24" Do not use mortar

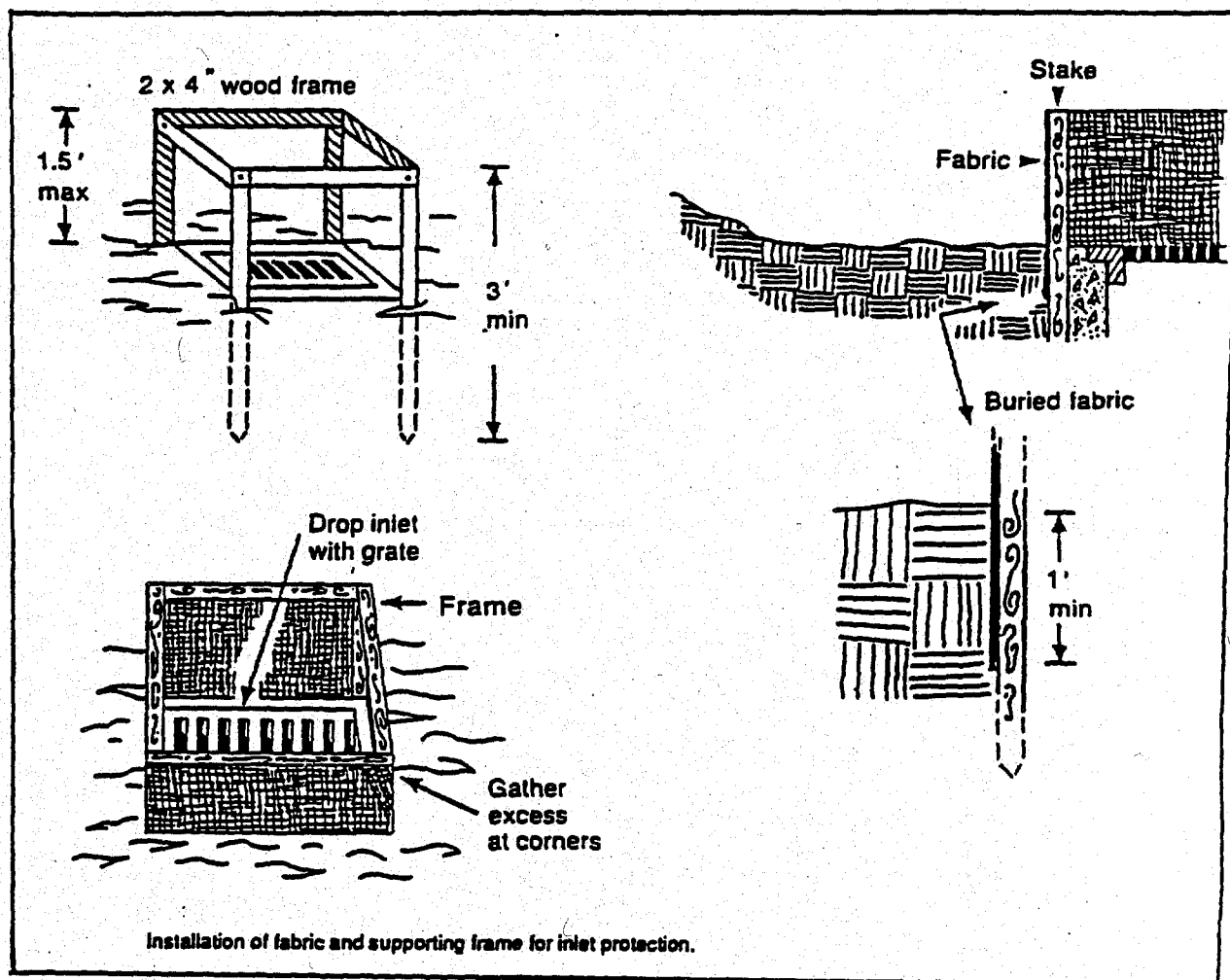
## Outlet Stabilization



**Figure 4. Outlet Stabilization Structure**

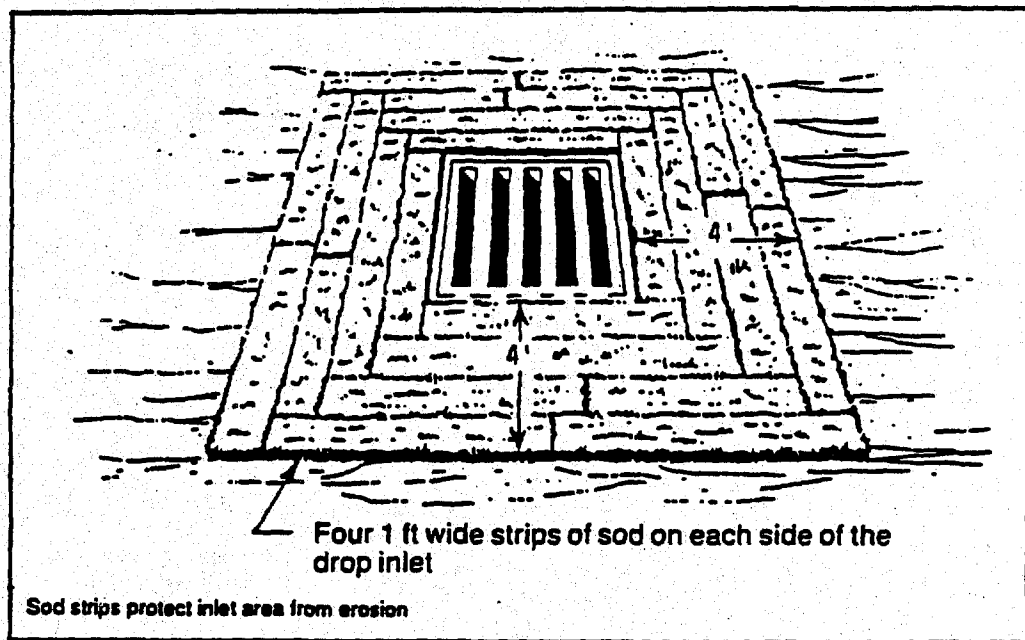


**Figure 5. Excavated Drop Inlet Protection**

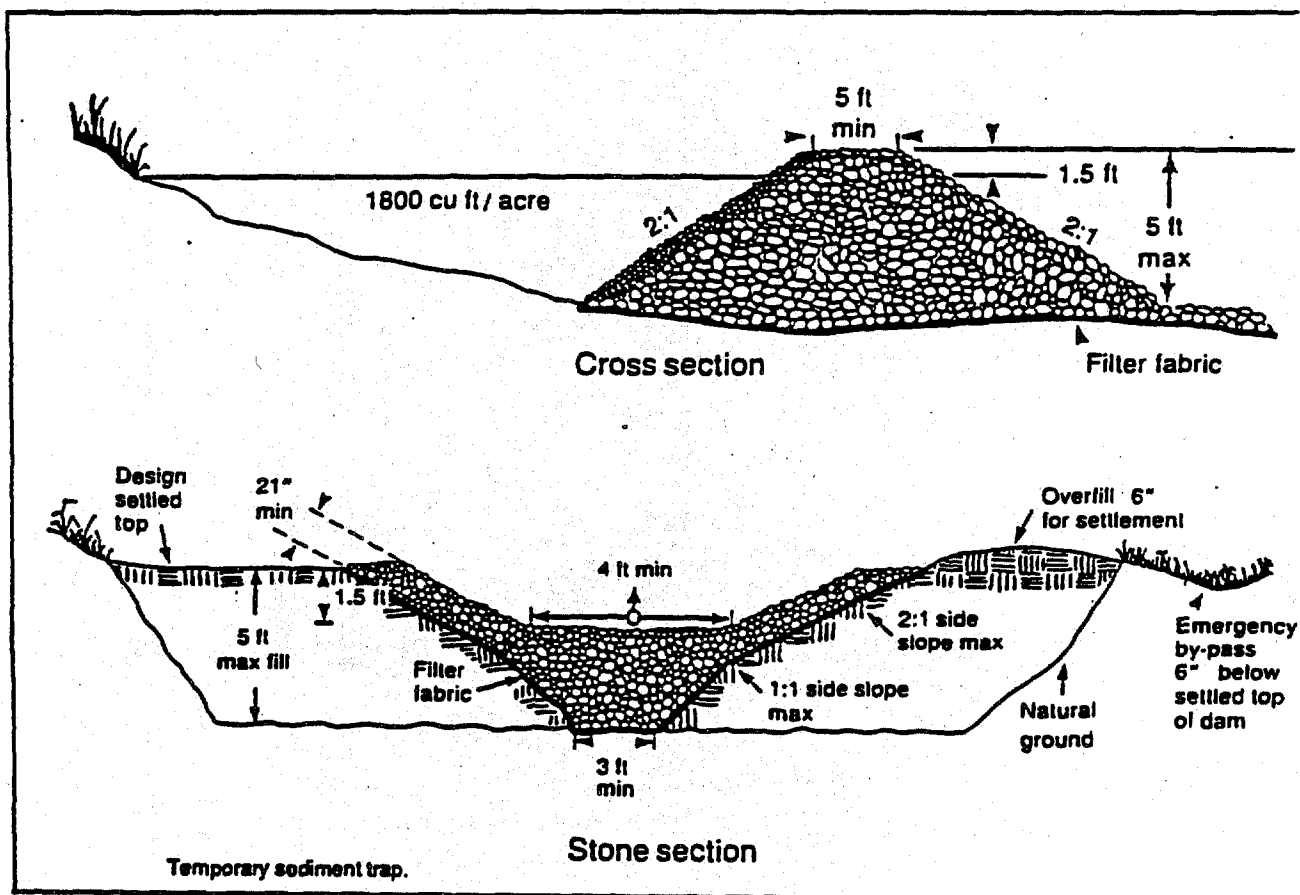


**Figure 6. Fabric Drop Inlet Protection**

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
Sod Drop Inlet Protection  Figure 7	A grass sod filter area around a storm drain drop inlet in a stabilized well-vegetated area	To limit sediment from entering storm drainage system as a permanent protection measure	May be used where the drainage area of the drop inlet has been permanently seeded and mulched, and the surrounding area is to remain in dense vegetation	This practice is well-suited for lawns adjacent to buildings	Drainage Area: No greater than 2 acres - this area should be undisturbed or stabilized Velocity of design flow: Less than 5 ft./sec Slope of Sodded Area: Not greater than 4:1
Temporary Sediment Trap  Figure 8	A small temporary ponding basin formed by excavation or by an embankment	To detain sediment-laden runoff and to trap the sediment; to protect receiving lakes, streams, rivers, and other water bodies from sedimentation	May be used at the outlets of drains, diversions, channels, and other runoff conveyances; may be installed during early site development	Access to the basin must be maintained to periodically remove sediment for proper disposal Structure life limited to 2 years	Used to receive water drained from areas of 5 acres or less Side slopes of excavated basins - 2:1 or flatter Cleanout trap when sediment reaches 1/2 of the design depth
Sediment Basin  Figure 9	A suitably located earthen embankment designed to capture sediment	To retain sediment on the construction site and to prevent sedimentation of offsite bodies of water	May be used where erosion control measures are not adequate to prevent offsite sedimentation	This practice applies to structures 15' or less in height, and whose failure would not jeopardize property or lives Basin life limited to 3 years unless it is designed as a permanent structure	Drainage area: less than 100 acres; flow length to basin width ratio should be greater than 2:1 to improve trapping efficiency

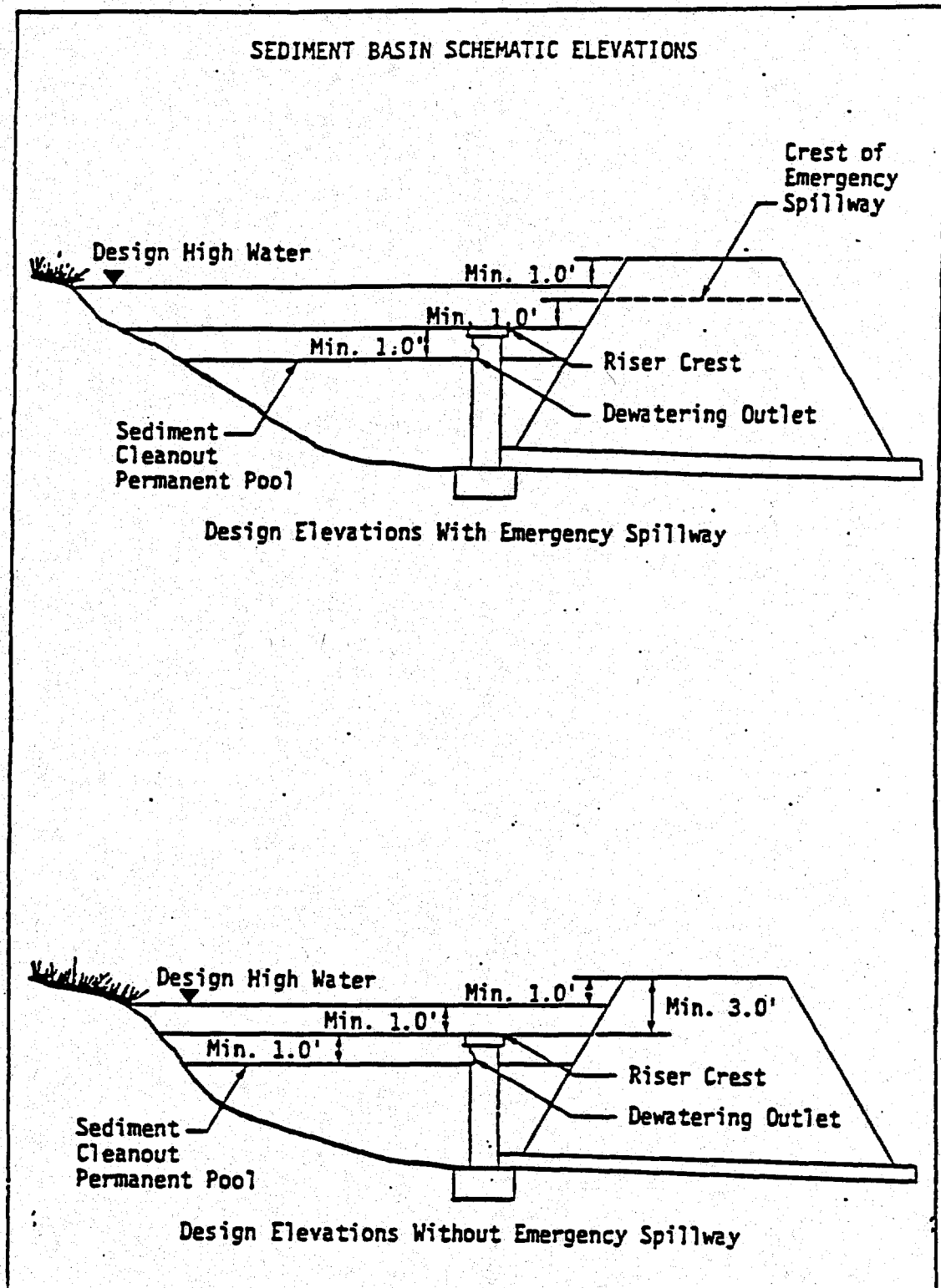


**Figure 7. Sod Drop Inlet Protection**



**Figure 8. Temporary Sediment Trap**

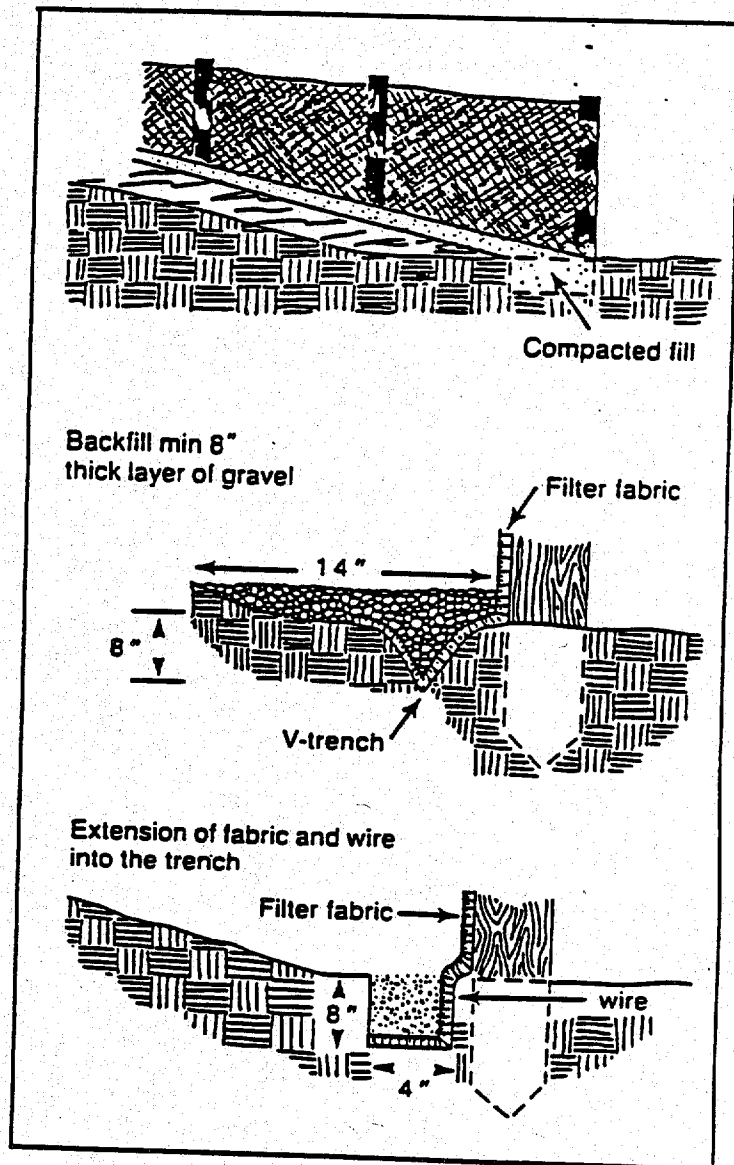




**Figure 9. Sediment Basin**

Source: Storm Water and Erosion and Sediment Control Best Management Practices for Developing Areas, Florida

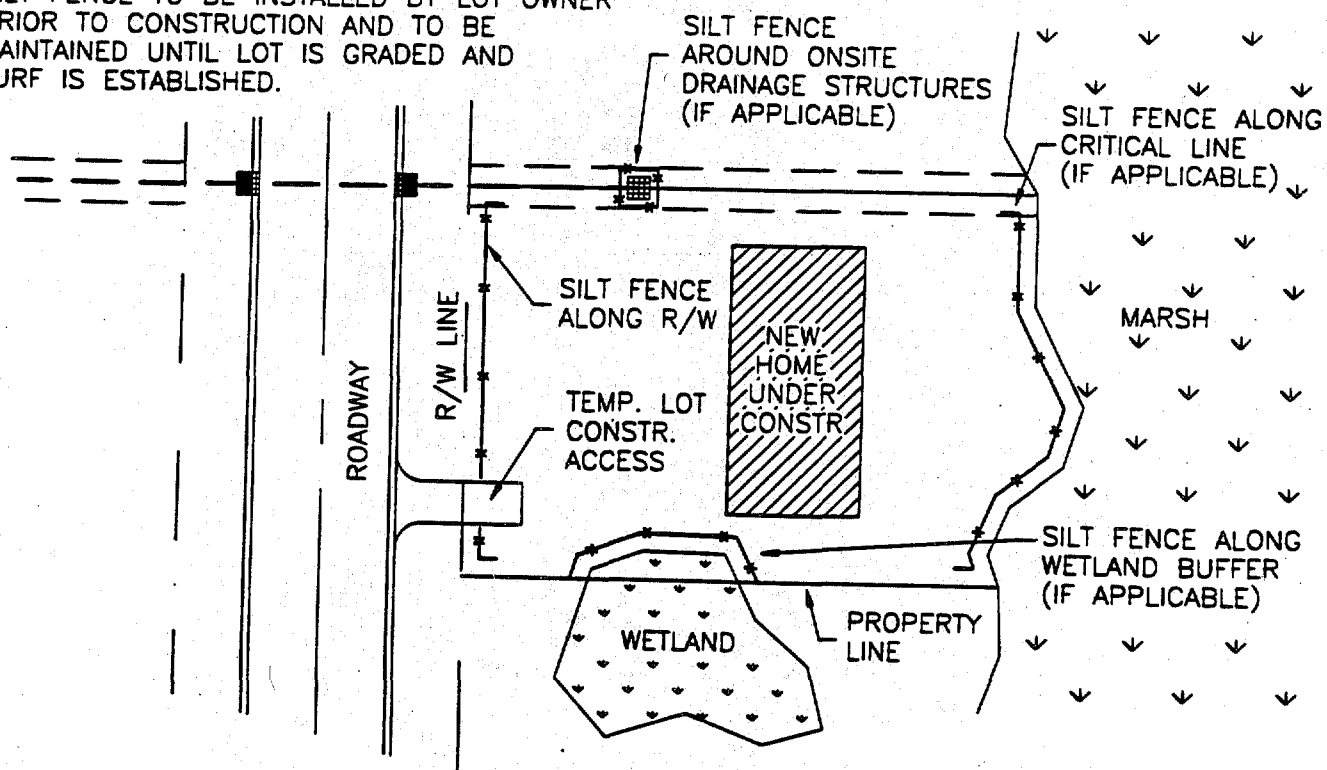
BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
<p>Silt Fence (Sediment Fence)</p> <p>Figure 10 and 11</p>	Temporary sediment barrier consisting of filter fabric or burlap stretched across supporting posts and entrenched	To catch and hold small amounts of sediment from disturbed areas by reducing the velocity of sheet flow to allow sediment deposition	May be used below small disturbed areas less than ¼ acre per 100' of fence, and where runoff can be stored behind the fence without damaging the fence or the area behind the fence	Sediment or silt fences should be located in areas where only shallow pools can form behind them. Sediment deposition should be periodically removed and properly disposed of	Fence should be stable for a 10 year peak storm runoff. Ensure that the depth of impounded water does not exceed 1.5' at any point along the fence
<p>Straw Bale Dike</p> <p>Figure 12</p>	Temporary sediment barrier constructed from a row of entrenched and anchored straw bales	To catch and retain sediment on the construction site and prevent sedimentation	May be used below disturbed areas subject to sheet and rill erosion where temporary sedimentation control is needed	Straw bale dikes should <u>never</u> be built in live streams, swales, or drainageways	Drainage area: No more that ¼ acre for every 100' of barrier length. Maximum slope gradient behind the barrier - no more than 2:1 (50%). Design life: Less than 3 months
<p>Check Dam</p> <p>Figure 13</p>	Small, temporary stone dam constructed across a drainageway	To reduce erosion of the channel by restricting the velocity of flow in the channel	May be used as a temporary or emergency measure to limit erosion by reducing flow in a small, open channel	Check dams should not be used in live streams Check dams installed in grass-lined channels may kill the vegetative lining if submergence after rain is too long or sedimentation is too heavy	Drainage area above the check dam should not exceed 2 acres Maximum Height: 2' at the center of the dam Keep the center of the dam at least 9" lower than the outer edges at natural ground elevation



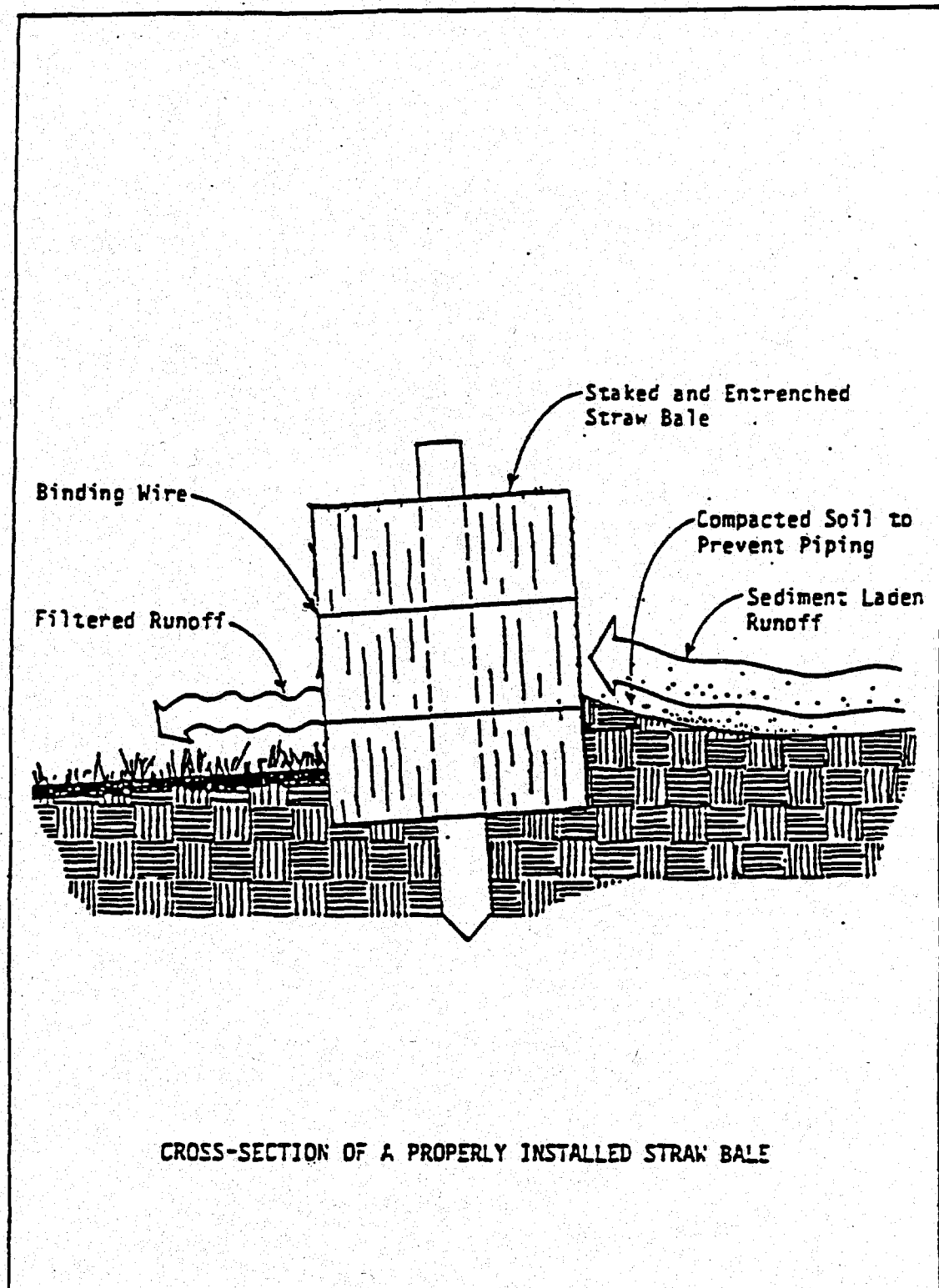
**Figure 10. Silt Fence**

NOTE:

SILT FENCE TO BE INSTALLED BY LOT OWNER  
PRIOR TO CONSTRUCTION AND TO BE  
MAINTAINED UNTIL LOT IS GRADED AND  
TURF IS ESTABLISHED.

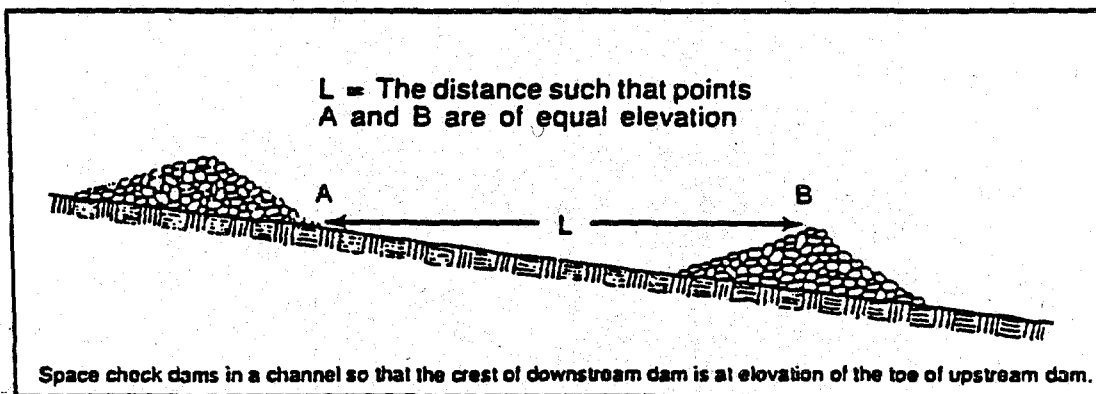
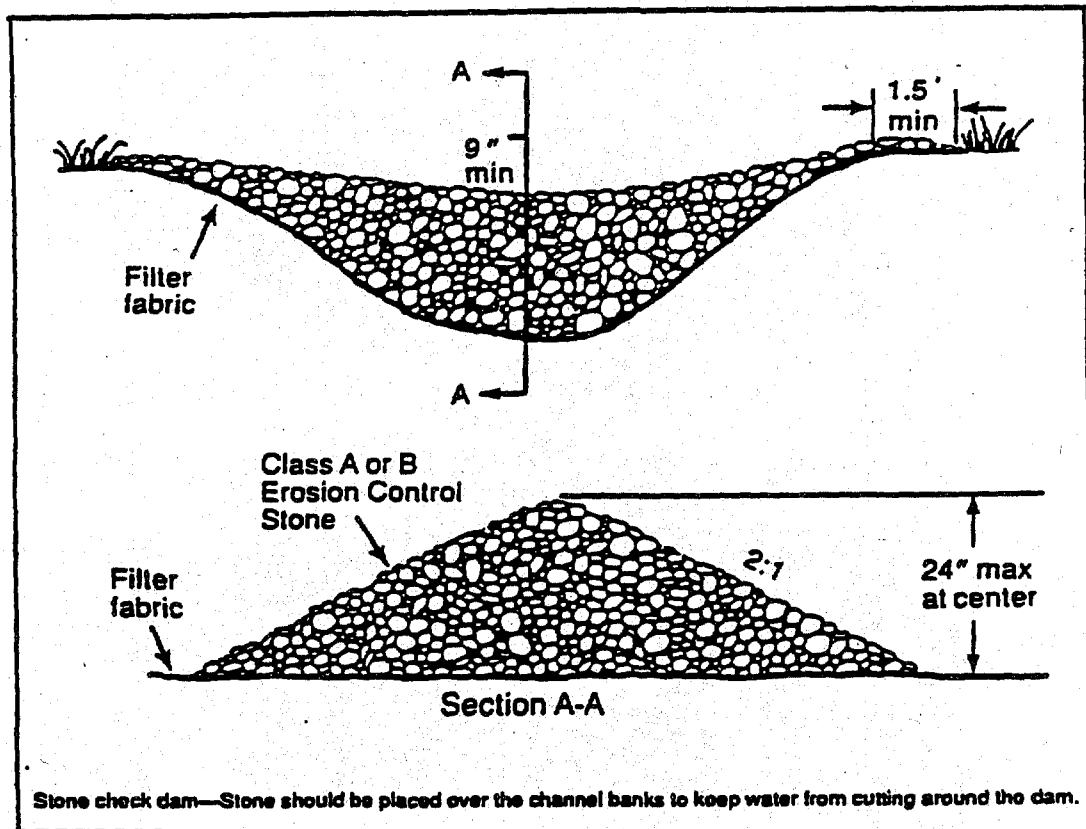


**Figure 11. Lot Silt Fence Plan**



**Figure 12. Straw Bale Dike**

Source: Storm Water and Erosion and Sediment Control Best Management Practices for Developing Areas, Florida



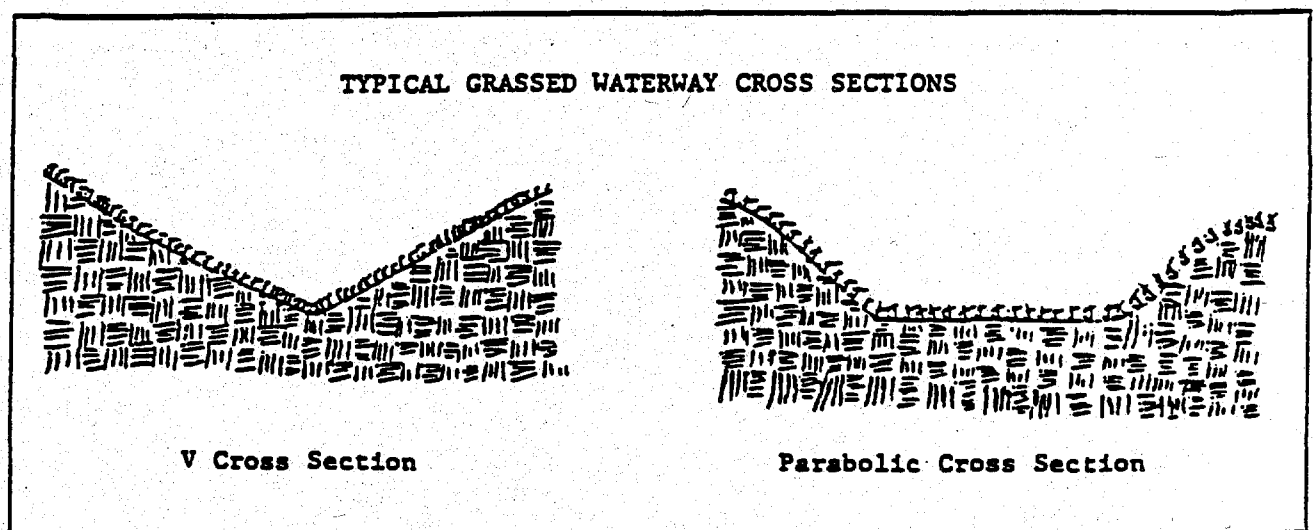
**Figure 13. Temporary Check Dam**

Source: North Carolina Erosion and Sediment Control Planning and Design Manual. 1988.

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
Sand Fence (Wind Fence)	An artificial barrier of evenly spaced wooden slats or approved fabric erected perpendicular to the prevailing wind	To reduce wind velocity at the ground level and trap blowing sand; used to build frontal ocean dunes or prevent sand from blown off disturbed areas and onto roads or adjacent property	May be used in areas of open, bare, sandy soil subject to frequent winds, where the trapping of blowing sand is desired	S. C. Coastal Council has general design and installation requirements for sand fencing	Contact S. C. Coastal Council for design criteria
Vegetative Dune Stabilization	Use of adaptive vegetation to catch and hold sand and to build and repair dunes	To protect, maintain or rebuild a barrier dune system	May be used in coastal beachfront areas	Only tolerant plant species adapted to the dune environment can be used	Small areas and steep slopes should be planted by hand; large flat areas may be planted with a tractor-drawn transplanter

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
<b>STORM WATER MANAGEMENT SYSTEMS</b>					
Grass-Lined Channels (Grassed Swale)  Figure 14	A channel with vegetative lining for conveyance of storm water runoff	To convey and infiltrate concentrated surface runoff without damage from flooding, deposition or erosion	May be used as roadside ditches, channels along property boundaries, outlets for diversion, and as drainage for low level areas.	Should be located to conform with and use the natural drainage system Avoid crossing ridges or watershed Avoid sharp changes in grade or direction of channel	Peak capacity minimum of 10 year storm without eroding. Velocity: No more than 2 ft./sec without a channel liner Side slopes: 3:1 or flatter
Wet Extended Detention Pond  Figure 15	A permanent pool system containing a forebay near the inlet to trap sediments and a deep pool for storage	To provide temporary storage of storm water runoff before it is discharged downstream; protects the downstream channel from erosion and sedimentation; functions as a sediment trap and pollution filter	Most effective in large, intensely developed sites, usually greater than 10 acres This is generally the most cost effective practice for urban/coastal areas	Pond should be designed to hold post-development peak storm water runoff 24 hours or more for 90% particulate-form or suspended solid pollutant removal	Maximum Depth: 6' to 8' for permanent pool Littoral Shelf: Extend side slopes out 2' to 3' with slope of 6:1 or flatter Inlet structures designed to dissipate energy of water entering the pool



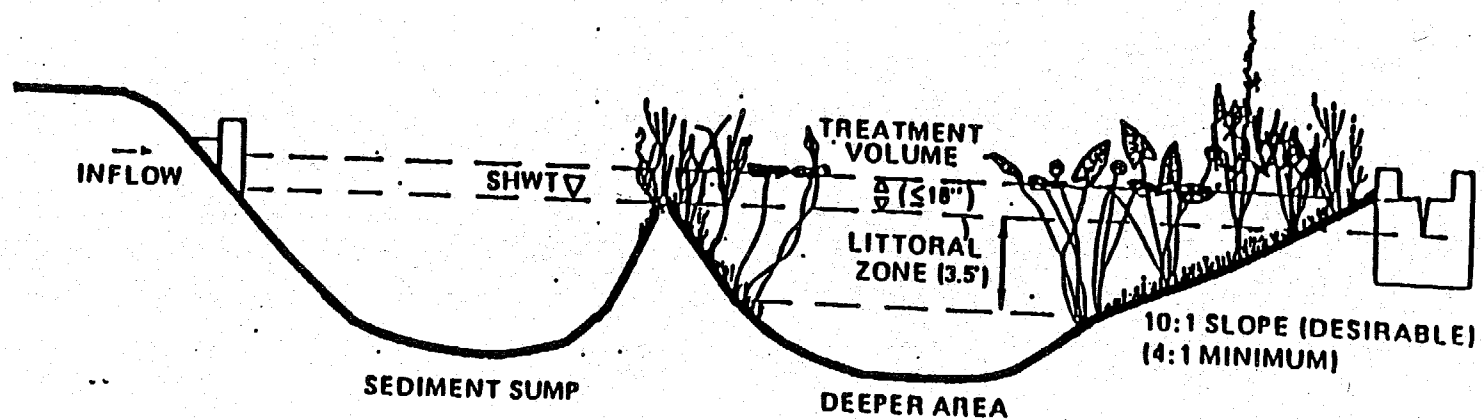


**Figure 14. Grassed Swale**

Source: South Carolina Land Resources Conservation Commission. 1985.

# WET DETENTION SYSTEM

## POND CONFIGURATION - B



**Figure 15. Wet Extended Detention Pond**

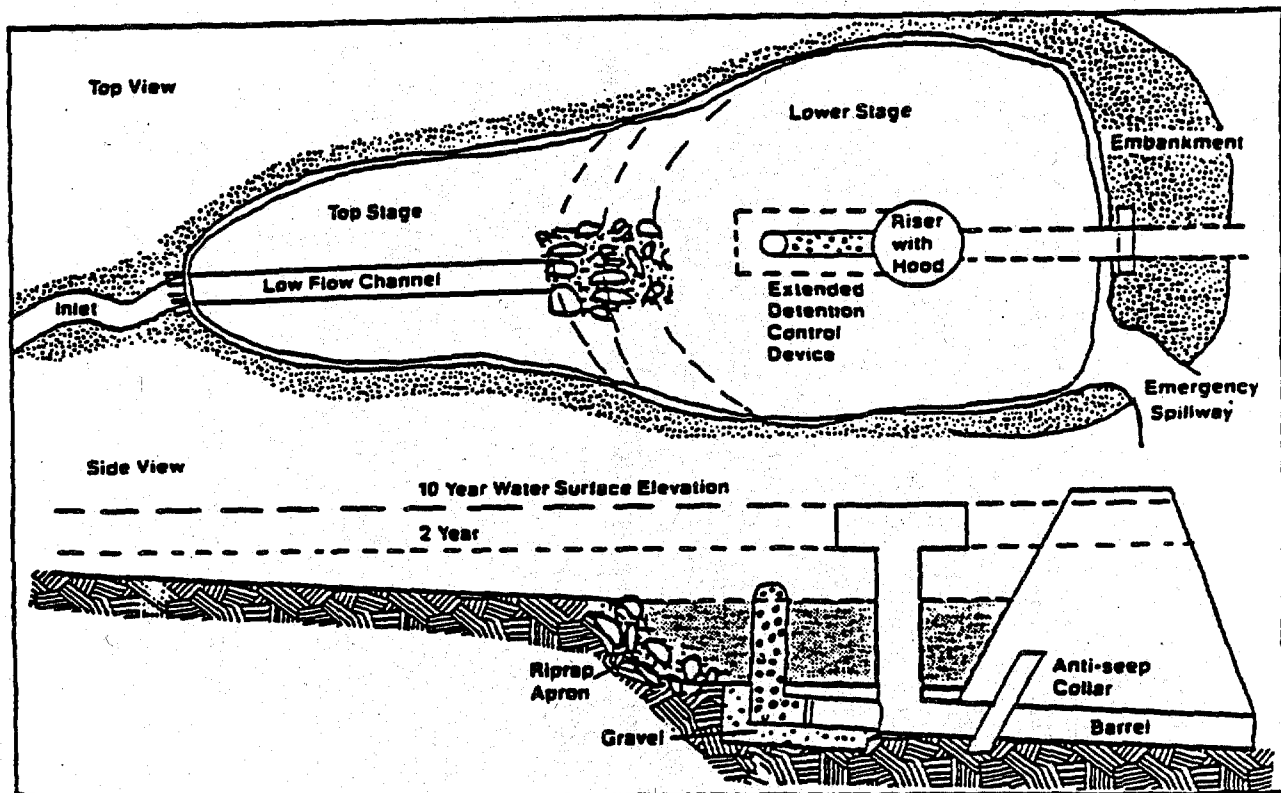
Source: Storm Water and Erosion and Sediment Control Best Management Practices for Developing Areas, Florida

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
Wet Pond	A pond with all of its storage as a permanent pool	To provide a high level of urban pollutant removal through biological uptake of aquatic wetland vegetation	May be used in areas where a combination of water quality treatment, streambank erosion protection, and flood protection is needed	Shallow areas around the pond should be designed to encourage growth of emergent wetland vegetation, which functions as a biological filter and sediment trap	Surface Area and Volume: Minimum of 1.5% of the contributing catchment area; volume should equal runoff of a 6 month, 24 hour design storm Depth: Maximum of 6' Geometry: Length-to-width ratio of 3:1 or 5:1
Extended Detention Micro-Pool	A dry extended detention system containing one or two small permanent pools for pollution removal	To provide storm water runoff control, runoff pollution removal, sedimentation control, and flooding control in an area containing sensitive wetlands and forests	May be used in areas where a higher quality of discharged storm water is required; this system is good for coastal areas where high quality treated storm water runoff is important	One micro-pool is located near the riser to protect the extended detention pipe from clogging The second pool is located near the inlet and functions as a sediment trap	Care must be taken in designing the system to avoid resuspending previously deposited materials in the lower pool; an artificial wetland can be created to stabilize the sediments
Extended Detention Shallow Marsh	An extended detention system using emergent aquatic wetland vegetation as its principal pollutant removal system	To provide storm water runoff control, runoff pollution removal, and sedimentation control	May be used in areas where a combination of storm water runoff control, sedimentation and pollution control are needed - and where the discharge water must be of high quality	To function properly, this system must be planned for periodic removal of sediments and debris from the deepest part of the basin	Pool Depth: 0' to 3' Irregular shaped permanent pool Plant emergent aquatic wetland vegetation native to the area, if possible

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
Artificial Freshwater Wetland	An artificial freshwater shallow marsh designed to treat storm water runoff and reduce sedimentation	To provide biofiltration of pollutants carried by storm water runoff prior to release to receiving waters	May be used in large areas with gentle slopes that promote sheet runoff and/or low velocity flow to the wetland	Estimate approximately 150 square feet of wetland for every 10,000 square feet of contributing developed area Depth to ground water should be determined to decide if a liner is needed to avoid ground water contamination	If the wetland is used for storm water detention, the temporary increase in water depth during a 100 year storm should not exceed 1" Use vegetation adapted to the area and climate
Infiltration Dry Pond (Basin)	A dry pond system for site with permeable soils that promote infiltration of temporarily stored storm water runoff	To temporarily store storm water runoff and maintain on-site groundwater by infiltration through the bottom and sides of the basin	May be used in areas where storm water runoff control and treatment are needed, as well as maintenance of the groundwater levels	The seasonal high groundwater table should be at least 3' below the bottom of the basin Soils must be suitable for basin construction and infiltration	Drainage Area: From 5 to 50 acres Depth: From 3' to 12' The basin must be a minimum of 50' from any slope greater than 15% Basin must be a minimum of 100' upslope and 20' downslope of any building

<b>BMP</b>	<b>DEFINITION</b>	<b>PURPOSE</b>	<b>WHERE APPLICABLE</b>	<b>PLANNING CONSIDERATION</b>	<b>DESIGN CRITERIA</b>
<p>Dry Extended Detention Pond</p> <p>Figure 16</p>	An open pond system that temporarily stores excess runoff from the site prior to gradual release after the peak of storm water inflow has passed	To temporarily store excess storm water runoff from a site before gradual release into a receiving water body; provides removal of sediments through settling	May be used on large development sites where water quality treatment and flood control are needed	Generally, the completed pond should be planned to provide safety for people, protection of property, improved storm water runoff control and provide wildlife habitats	Requires a minimum of 40 hours detention time for settling of urban pollutants and sediment from a 2 year, 24 hour storm Pond depth and geometry same as for a wet pond
Grass Filter Strip	A grassed surface area designed to accept overland sheet flow	Used to remove sediment, organic materials, and trace metals from storm water runoff	May be used to protect surface infiltration trenches from clogging with sediment, parking lot perimeters, on sides of roadways, etc.	To be effective, the depth of storm water during treatment should not exceed the height of the grass Runoff should be a uniform sheet flow	Grade should be uniform, even, with a relatively low slope A shallow stone trench along the top of the grassed filter strip may serve as a level spreader
Infiltration Trench I	A shallow, excavated trench back-filled with stone to form an underground reservoir to infiltrate storm water runoff into the subsoil or drain into pipes and be diverted to a suitable collection point	To provide control of storm water runoff, preserve on-site ground water and remove sediments and pollutants	May be used for residential lots, commercial areas, parking lots, and open areas	If infiltration is desired, soils and depth to the ground water table must be suitable	Drainage Area: 5 to 10 acres Trench Depth: 3' to 8' Stone fill material shall consist of washed aggregate 1.5" to 3" in diameter

# Schematic of a Dry Extended Detention Pond



**Figure 16. Dry Extended Detention Pond**

<b>BMP</b>	<b>DEFINITION</b>	<b>PURPOSE</b>	<b>WHERE APPLICABLE</b>	<b>PLANNING CONSIDERATION</b>	<b>DESIGN CRITERIA</b>
<b>Infiltration Trench II</b>	Similar to Infiltration Trench I; designed to intercept sheet flow from parking lots; a grass filter strip separates the trench from the paved surface	To provide storm water runoff control and water quality improvement of sheet flow from parking lots	May be used for parking lots or other large areas of impervious surface	Slotted curbs may be used to function as level spreaders	Same as for Infiltration Trench I A 20' grass filter strip should be maintained between the trench and the paved surface
<b>Dry Well</b>	A small infiltration system designed to infiltrate runoff from roof downspouts	To intercept and infiltrate runoff from roof downspouts	May be used where disposal of runoff via infiltration can occur onsite and where hook-up to a storm water or sanitary system is not possible	This system may only be used in areas where there is not significant depositional air pollution Regular maintenance and cleaning is required for design operation	Design criteria is the same as for Infiltration Trenches The dry well should be no less than 10' from the building foundation
<b>Porous Pavement</b>	Porous paving material designed to allow the infiltration of storm water while removing the soluble and fine particulate pollutants	To provide water quality improvement of storm water runoff and ground water recharge	May be used in parking areas, low-volume roads, and emergency parking lanes where grade and subsoil will allow on-site infiltration	Porous pavement must be carefully maintained to avoid clogging from spills and dust	Should be designed to drain the runoff from a 6 month, 24 hour storm within 48 hours

BMP	DEFINITION	PURPOSE	WHERE APPLICABLE	PLANNING CONSIDERATION	DESIGN CRITERIA
Concrete Grid and Modular Pavement	Paving material consisting of strong structural material with regular, interspersed void areas filled with pervious material (sod, grass, gravel, sand, etc.)	To improve storm water runoff water quality, reduce runoff rates, reduce off-site pollution, and provide ground water recharge	May be used in parking lots, airport runway shoulders, emergency parking lanes, on-street parking aprons, driveways, patios, and walkways	The following items should be considered: soil permeability, slope, intended use of the area, types of pollutants generated, depth to ground water, pre- and post-development runoff volumes, and surface drainage conditions	Installation is based on the manufacturer's recommendations. Parking areas should avoid ponding for periods exceeding more than 2 hours.
Fertilizer/Pesticide Control	Proper use of fertilizers and pesticides to avoid water quality impacts	To reduce nutrient loading and toxic chemical loading of storm water runoff	Developed and developing sites	Developments adjacent to sensitive water bodies should provide lawn care services, and carefully monitor and time applications to avoid polluted runoff entering receiving waters	Fertilizers and pesticides should be stored in sheds and away from water sources (streams, lakes, etc.) and pervious soil



PRINTED JANUARY 1995

In accordance with Proviso 129.46 of the Fiscal Year 1994-95 Appropriation Act, the following information is provided regarding this publication:

Total Printing Cost - \$1,260.00  
Total Number of Documents Printed - 1,000  
Cost Per Unit - \$1.260